

**Security Council**

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**Report of the Secretary-General on the situation in Somalia****I. Introduction**

1. The present report is submitted pursuant to the statement of the President of the Security Council of 31 October 2001 (S/PRST/2001/30), in which the Council requested me to submit reports on a quarterly basis on the situation in Somalia. The report covers developments since my previous report, of 16 June 2005 (S/2005/392). The main focus of the report is on the efforts undertaken by the international community and, in particular, by my Special Representative, to foster inclusive dialogue among the leaders of the Somali transitional federal institutions. The report also provides an update on the security situation and the humanitarian and development activities of United Nations programmes and agencies in Somalia.

**II. Situation within the transitional federal institutions**

2. There has been no progress in ameliorating the contention between leaders of the transitional federal institutions on four broad issues: the relocation of the transitional federal institutions, a national security and stabilization plan, national reconciliation and the peace support mission envisaged by the African Union (AU)/Intergovernmental Authority on Development (IGAD). Tensions between President Abdullahi Yusuf Ahmed and Prime Minister Ali Mohammed Gedi, based in Jawhar, on the one hand, and the Speaker of Parliament, Sharif Hassan Sheikh Adan, and ministers based in Mogadishu on the other, have been exacerbated during the period under review. My Special Representative for Somalia, François Lonseny Fall, has spared no effort to convince the three leaders to reach the necessary agreements through dialogue so that the transitional federal institutions could begin to function effectively. While they have stated their readiness to do so, they have reneged on a face-to-face meeting thus far (see paras. 8-19 below).

3. On 12 June 2005, President Yusuf attended a meeting of some members of Parliament in Nairobi under the chairmanship of the First Deputy Speaker, Mohamed Omar Dhalha, and announced a two-month recess of Parliament. However, the Speaker, who was not at the meeting, questioned the legitimacy of the meeting and the President's authority to declare a parliamentary recess.

4. It will be recalled that some members of the Transitional Federal Parliament began to return to Somalia in March and April 2005 (see S/2005/329, para. 6). Relocation of the transitional federal institutions began in the middle of June,



following a farewell ceremony in Nairobi presided over by President Mwai Kibaki of Kenya.

5. A few days later, the Government of Yemen tried to mediate between the President and the Speaker, who were both visiting Sana'a. However, the two leaders failed to reconcile their differences. In the meantime, Prime Minister Gedi, who arrived in Jawhar on 18 June accompanied by several ministers and members of Parliament, has since set up his administration in that town. Other ministers and parliamentarians relocated to their home localities.

6. Despite the fact that the Prime Minister and the Speaker were both in Djibouti in late June, there was no dialogue between them. Upon their return to Jawhar and Mogadishu, respectively, both leaders celebrated, separately, the Somali national day on 1 July. The following day, the Speaker held a meeting with members of Parliament in Mogadishu. A formal session of Parliament could not be held owing to the lack of a quorum.

7. President Yusuf arrived in Boosaaso in "Puntland" on 3 July and on 9 July, met in Gaalkacyo with a delegation of Ministers and officials led by the Prime Minister. Since President Yusuf's arrival in Jawhar on 26 July, the President and Prime Minister have been using that city as a de facto temporary seat of the Transitional Federal Government.

8. On the basis of the statement by the President of the Security Council of 14 July 2005 (S/PRST/2005/32), I instructed my Special Representative to intensify his contacts with the leadership of the transitional federal institutions with a view to fostering an inclusive dialogue. On 1 August, he visited Jawhar and presented President Yusuf and Prime Minister Gedi with a proposal for a road map for dialogue. The road map would address the key issues of (a) an agreement on the safe relocation of the transitional federal institutions; (b) a national security and stabilization plan; (c) modalities for the deployment of an AU/IGAD peace support mission; and (d) national reconciliation.

9. My Special Representative also handed over to the leaders a sequencing chart that had been prepared by representatives of IGAD, AU and the European Union (EU). The chart proposed that, following the successful conclusion of the dialogue, the Council of Ministers and a full session of the Parliament should be called with a view to establishing a national security commission. This proposed commission would draw up the modalities for the deployment of a peace support mission. Prime Minister Gedi informed my Special Representative that his Government was already working on the issues outlined in the road map, especially national security.

10. On 3 August, my Special Representative visited Mogadishu, where he held discussions with the Speaker, ministers and members of Parliament who had relocated to the capital and presented them with a copy of the road map and the sequencing chart. The leaders welcomed the statement by the President of the Security Council of 14 July 2005 and expressed support for my Special Representative's initiative. However, they also used the occasion to voice their concerns that President Yusuf and Prime Minister Gedi might resort to an armed confrontation with them. While committing themselves to dialogue, they emphasized that the agenda, venue and composition of delegations for the talks had to be agreed to in advance.

11. Since early August, President Yusuf, Prime Minister Gedi, the Speaker and the Mogadishu-based leaders have taken unilateral actions, none of which have contributed to the resolution of the differences between them.

12. On 8 August, Prime Minister Gedi announced the composition of committees on national security, economic affairs and social affairs. Although the National Security Committee included the Minister for National Security, Mohamed Kanyare Afrah, one of the Ministers based in Mogadishu, the latter refused to recognize the right of the Transitional Federal Government to establish such committees without consultations, as stipulated in the Transitional Federal Charter.

13. On 13 August, some members of Parliament met in Mogadishu under the chairmanship of the Speaker. In a statement, they announced the establishment of a 59-member committee to restore peace and stability in Mogadishu. They also summoned all members of Parliament to Mogadishu to participate, on 27 August, in the establishment of parliamentary subcommittees. This meeting did not take place, however.

14. On 27 August, Prime Minister Gedi announced to reporters that the Government would start offering oil, gas and mineral concessions to foreign firms in the near future. He called upon foreign companies to avoid dealings with any authorities other than the Transitional Federal Government.

15. Hussein Aidid, Deputy Prime Minister and Minister of Interior, returned to Mogadishu on 14 August after an absence of over four years. He announced that he would try to help efforts to reconcile differences within the transitional federal institutions. Before returning to Mogadishu, he called on my Special Representative, who encouraged him to use all possible means to foster dialogue within the transitional federal institutions.

16. In a joint effort, my Special Representative and the Minister for Regional Cooperation and East African Affairs of Kenya secured the agreement of both the Prime Minister and the Speaker to attend a meeting on 19 August in Nairobi. However, the Speaker later informed my Special Representative that he would not attend because the Prime Minister's statement said that he would meet the Speaker only if the latter was ready to cooperate with his Government. Prime Minister Gedi announced at a press conference on the same day that his Government was open for dialogue within the transitional federal institutions.

17. On his part, the Speaker gave an undertaking to my Special Representative not to use any meeting of members of Parliament in Mogadishu to undermine the prospects for dialogue within the transitional federal institutions. In a meeting with members of the international community on 26 August, he reiterated his willingness to enter into dialogue within the framework of the transitional federal institutions and stressed the need to respect the Transitional Federal Charter.

18. On 13 September, Prime Minister Gedi addressed a letter to ministers of the Transitional Federal Government, informing them of his intention, after consultations, to begin holding meetings of the Council of Ministers in Mogadishu. My Special Representative immediately welcomed the initiative and expressed the hope that the meetings would be preceded by consultations and followed by a full session of Parliament, in accordance with the Transitional Federal Charter.

19. The Presidency of the EU issued a statement on 19 September in support of Prime Minister Gedi's initiative. EU urged the Mogadishu-based ministers to respond positively as it was an important step towards resolving outstanding issues and called upon all parties to refrain from making military preparations and inflammatory statements and to commit themselves to the peaceful resolution of their differences through inclusive dialogue. EU stressed that the creation of any national Somali military force should take place in the framework of a national security and stabilization plan and in line with the statement by the President of the Security Council of 14 July 2005. EU also expressed support for my Special Representative's statement of 8 September underlining that there could be no military solution to the problems facing the transitional federal institutions.

### **III. Activities of the United Nations and the international community**

20. Representatives of the international community in Nairobi continued to meet almost every week throughout the reporting period in support of the initiative of my Special Representative to foster inclusive dialogue within the framework of the transitional federal institutions.

21. At its twenty-fifth meeting, held on 12 June, the IGAD Council of Ministers reviewed the relocation of the transitional federal institutions to Somalia and reinstated the IGAD Facilitation Committee on Somalia. My Special Representative briefed the Ministers and emphasized the need for dialogue within the transitional federal institutions.

22. Following the visits of my Special Representative to Mogadishu and Jawhar on 1 and 3 August, respectively, a delegation from the European Commission also visited both cities and urged the two sides to begin a meaningful dialogue. Delegations from the Government of Kenya, AU and the donor community also visited Jawhar on 4 August, where a meeting of the Joint Planning Committee was held with the Transitional Federal Government.

23. Since his arrival in Nairobi on 27 May 2005, my Special Representative has impressed upon leaders in the subregion and others the need to have a coordinated approach towards Somali leaders and to urge them to engage in dialogue and refrain from military action for the resolution of the differences within the transitional federal institutions. On 10 June, he met in Kampala with President Yoweri Museveni of Uganda, and on 29 June he held talks with President Ismail Omar Guelleh of Djibouti and the Executive Secretary of IGAD in Djibouti.

24. On 24 June, he travelled to Addis Ababa, where he had discussions with State Minister for Foreign Affairs, Tekeda Alemu, AU Chairman Alpha Oumar Konaré and AU Peace and Security Commissioner, Said Djinnit. He returned to Addis Ababa on 29 August for meetings with Chairman Konaré and the Prime Minister of Ethiopia, Meles Zenawi. He emphasized the need to foster dialogue within the transitional federal institutions and encouraged his interlocutors to use their influence towards that end.

25. On 27 August, my Special Representative visited Cairo, at the invitation of the Government of Egypt, and held talks with Foreign Minister Ahmed Aboul Gheit and the Secretary-General of the League of Arab States, Amr Moussa. He briefed his

interlocutors on developments in Somalia and on his initiative to foster an inclusive dialogue. Foreign Minister Gheit informed my Special Representative of his Government's readiness to undertake an initiative in support of dialogue within the transitional federal institutions.

26. Subsequent to his travels in the subregion, my Special Representative decided to enlist the support of European Governments to encourage dialogue within the transitional federal institutions, and engage them in the need for the international community to speak with one voice on this issue. He held talks with officials of Italy, Sweden and the United Kingdom of Great Britain and Northern Ireland in London and Stockholm, and with EU officials in Brussels. My Special Representative stressed the need for a functional parliament as essential for the legitimacy of the Transitional Federal Government.

27. On 29 August, Prime Minister Gedi met with the Heads of Mission of EU countries in Nairobi and informed them of his proposal to resolve the differences within the transitional federal institutions at three levels: the leadership (President, Prime Minister and Speaker); the Cabinet (Ministers); and Parliament. The Heads of Mission took the opportunity to reaffirm their support for my Special Representative's initiative and the statement of the President of the Security Council of 14 July. They welcomed the Prime Minister's intention to resolve the differences within the transitional federal institutions and emphasized that if the transitional federal institutions were able to resolve their differences through dialogue, more financial assistance would be forthcoming from their countries.

28. Six projects will be funded for implementation during 2005 and 2006 under the United Nations Trust Fund for Peacebuilding in Somalia. They include two projects each in support of (a) reconciliation: the establishment of a national reconciliation commission and dialogues for peace and reconciliation between different regions of Somalia; (b) rule of law and state-building: reconstitution and re-activation of the judiciary system and a seminar on federalism and constitutional affairs; and (c) security and disarmament, demobilization and reintegration: the establishment of a disarmament, demobilization and reintegration commission and the setting up of youth service centres for skills development and employment creation in Mogadishu, "Puntland" and "Somaliland".

29. On 5 September, Kenya and Somalia signed an agreement on technical and economic cooperation, covering the education, health and security sectors. The agreement was signed in Nairobi by the Foreign Ministers of the two countries in the presence of Prime Minister Gedi. On 7 September, AU announced the opening of its liaison office in Jawhar, through which it would channel its support to Somalia.

#### **IV. Developments inside Somalia**

30. In an interview with the BBC on 6 July, President Yusuf announced the creation of a Somali national army to be assembled from various regions of Somalia. Soon thereafter, he said that he had begun to raise a new army. The announcement raised concerns among the leaders based in Mogadishu, prompting some of them to threaten pre-emptive attacks against Jawhar if President Yusuf and his supporters marched on the capital.

31. On 10 August, President Yusuf flew from Jawhar to Gode and Mustahil in the Somali-inhabited Region 5 of Ethiopia, with the stated purpose of promoting local reconciliation between ethnic Somali clans living in the border region. However, some leaders in Mogadishu accused the President of going to Ethiopian territory to acquire weapons and troops for his future activities in Somalia. President Yusuf refuted this accusation as baseless.

32. In early September, troops loyal to President Yusuf arrived in Jawhar. The Mogadishu-based leaders, in response, also deployed troops from Mogadishu in the direction of Jawhar. In a press release issued on 7 September on behalf of the Mogadishu-based leaders, the troop movements in Jawhar were portrayed as creating a "state of war". The press release further warned all humanitarian agencies and diplomats currently in Jawhar to suspend their presence in the area and cautioned all aircraft to cease landing in Jawhar. On 8 September, the United Nations relocated its international humanitarian personnel out of Jawhar as a precautionary measure (see para. 46 below), a move criticized by President Yusuf.

33. Meanwhile, on 26 June, in "Somaliland", speaking on the occasion of its forty-fifth anniversary of independence from the United Kingdom, "President" Dahir Riyale Kahin expressed optimism for "Somaliland" gaining international recognition. He also reaffirmed his intention to hold parliamentary elections in mid-September, as planned. On 10 August, in a presidential decree, he postponed the parliamentary elections by two weeks, to 29 September, at the request of the "Somaliland" electoral commission.

34. In preparation for that election, print and broadcast editors in "Somaliland" drafted a new code of conduct to guide their coverage of the upcoming elections. The new code calls for the news media to adhere to impartial reporting of the election.

## V. The role of women's groups

35. There are many women's advocacy groups and non-governmental organizations across Somalia, although it is difficult to estimate the exact number in the absence of a systematic national registration system. In the absence of an effective central government, these groups play a vital role in providing basic social services and literacy and vocational training to Somalis. Most of the funding for their programmes comes from United Nations agencies and non-governmental organizations. There are some key women's umbrella organizations with which the United Nations works on a regular basis. They include: Negaad, in north-western Somalia; We are Women Activists in north-eastern Somalia; Coalition of Grass-roots Women's Organizations; Women's Development Organization and Save Somali Women and Children in southern and central Somalia.

36. Women's groups, by and large, have not formed, as yet, an effective political organization to further their rights and issues. This is a by-product of the political bargaining at the Somalia National Reconciliation Conference based largely on the power of militia leaders and their clan associations. Their role is further hampered by the current political paralysis within the transitional federal institutions and the lack of sufficient funds available to the Transitional Federal Government to support their activities.

37. There are 23 women members of Parliament. The Association of West European Parliamentarians for Africa conducted a workshop for them in 2004 in parliamentary conduct and procedures and on their role and responsibilities as members of Parliament. Nevertheless, the effective realization of their potential political role is being undermined by the continuing differences within the transitional federal institutions.

38. Women's groups, along with other civil society and business groups, have played a prominent role in initiating and supporting pre-disarmament encampments in Mogadishu. They have also been successful in convincing militia leaders in both Mogadishu and Kismayo to dismantle a large number of checkpoints and improve the security environment in those cities to some degree.

39. Progress has also been made in "Somaliland", where the Ministry of Social and Family Affairs is functioning and has been funded by the United Nations Development Programme (UNDP), to develop a gender action plan. The Ministry of Women and Family Affairs in "Puntland" has been given similar funding by the United Nations Development Fund for Women (UNIFEM) and it has also developed a gender action plan. Furthermore, the staff are being trained on issues related to human rights and HIV/AIDS.

40. United Nations agencies and partners have developed a gender-based violence and psychosocial counselling training manual and conducted trainings in Hargeysa and Boosaaso for participants from settlements for internally displaced persons in Hargeysa and representatives of women's organizations from "Puntland", "Somaliland" and south Somalia. This activity was undertaken in collaboration with Negaad. Participants have now provided psychosocial support and HIV/AIDS training to over 592 women in internally displaced persons camps.

41. The United Nations also provided training for the Women's Media Association to enable them to generate public awareness on human rights and HIV/AIDS. Women's organizations are now collecting and disseminating information on violations of women's human rights. They are also lobbying with the authorities to establish mechanisms for the protection of the rights of women living with HIV/AIDS, as such individuals are stigmatized and isolated by their families and communities. The United Nations has also provided training in media and information communication technology to women journalists and human rights workers in Mogadishu, "Puntland" and "Somaliland".

## VI. Security

42. Insecurity remains a significant problem for aid agencies in much of the country. There has been a number of reports of military preparations, activities and movements that are being linked with the continuing differences within the transitional federal institutions. According to reports, the United Nations arms embargo continues to be violated, and the inflow of weapons into the country has increased. In addition, particularly in the central and southern parts of Somalia, tensions and clashes between and within clans, mostly over water, grazing, and land disputes, result in death and injury and make humanitarian access difficult.

43. Mogadishu continues to remain insecure in spite of unprecedented efforts to take militiamen off its streets. At least two camps have been set up in the capital

which are housing over 2,000 militiamen from various clans inside the city. In addition, over 100 "technicals", or battlewagons, have been cantoned, as part of a pre-disarmament effort. This has been carried out under pressure from the business community and civil society, in particular women's groups, and it is they who have largely borne the costs of this process. Substantial financial resources from the Hawiye diaspora have assisted in this process, but it is unlikely that the assistance in support of encampment efforts can be sustained over a long period of time. In addition, after considerable pressure from civil society, several checkpoints in the city have been dismantled. In spite of such efforts, there are still concerns about security in Mogadishu, with the presence of several factional militias as well as those which are either freelance or associated with businessmen and the sharia courts. The presence of extremist elements and their alleged activities have also been a matter of concern. The reporting period has seen a number of killings and politically-linked assassinations in Mogadishu.

44. On 5 June, a Somali reporter, Duniya Muhyadin Nur, working for the Horn Afrik Radio station in Mogadishu, was killed at a checkpoint in Mogadishu by a militiaman while she was trying to cover protests by a group of transporters against checkpoints in the city. In the early morning of 11 July, unknown gunmen broke into the house of Abdul Qadir Yahya, a long-standing peace activist and a senior member of the Center for Research and Dialogue, and assassinated him. A day later, the head of the militias of one of the sharia courts was killed in an ambush. On 30 July, three assassinations were reported in Mogadishu, including a former Colonel in the police intelligence and an imam of a mosque. On 31 August, unknown gunmen assassinated Daqare Omar Jess, the brother of Ahmed Omar Jess, a prominent faction leader.

45. After the arrival of troops loyal to President Yusuf and their deployment just south of Jawhar, in early September reports followed that the Commerce Minister, Muse Sudi Yallahow, had sent a number of "technicals" to strengthen his forces in Balad, south of Jawhar. There are also reports that Adam Hashi Ayro, a commander who was recently appointed head of the sharia courts militia in Mogadishu, sent a number of his "technicals" to an unspecified location west of Jawhar.

46. Following the developments cited in paragraph 32, all international United Nations staff based in Jawhar were relocated safely out of the city on 8 September. Seven were flown to Nairobi while another six were relocated to Wajid. National staff continued to come to work until 12 September, when Mohamed-Dhere, the Governor of the Middle Shabele region and the faction leader controlling Jawhar, ordered the effective shut-down of the offices of the United Nations Children's Fund (UNICEF) in Jawhar. On 10 September, a clash between his militia and unidentified gunmen left two people dead in Mir Taqwo, north of Jawhar. This was connected to the faction leader's attempts to assert his authority in the region and levy taxes.

47. The security situation in Kismayo has improved during the period under review. According to reports, checkpoints have been dismantled under pressure from civil society. In addition, a broader agreement among the clans in Kismayo and the Juba Valley is apparently being sought to enhance security in the region. In this regard, a reconciliation effort was launched in Brava between Mogadishu and Kismayo in early September, involving Barre Hirale, other leaders of the Juba Valley Alliance led by Yusuf Mire Serar and representatives of the Mogadishu-based faction leader, Indha-aade, and those of General Mohamed Hersi "Morgan". The

aim of the effort was to improve security in the region, strengthen the Juba Valley Alliance and reconcile General "Morgan" and the Alliance, who have been fighting over territories in the Juba Valley for a number of years.

48. On 21 July, fighting erupted in Gaalkacyo in the ongoing dispute between two sub-sub-clans of the Omar Mahamud sub-clan of the Majerteen. Although the fighting subsided, there were unconfirmed reports of several casualties.

49. On 7 September, Mohamed Ibrahim Habsade, the faction leader controlling Baidoa, reportedly reached an understanding with his rival, Mohamed Nur Shattigudud, who also holds the portfolio of Minister of Agriculture, to resolve their differences peacefully. The understanding was apparently brokered by Digil-Mirifle clan elders who were concerned that the differences between the two leaders were causing serious rifts within the clan.

50. Inter- and intra-clan fighting has accounted for much of the violence in central and southern Somalia during the reporting period. In the Hiraa region in central Somalia, heavy fighting on 7 and 8 June, between the Galje'el and Jajele sub-clans of Hawiye over land and water on the western side of Beletweyne led to the reported deaths of 36 people and injuries to 70 people. In the Bakool region, also in central Somalia, clashes on 10 and 11 June between militiamen from the Hadamo and Ogaden clans in the El-Barde area resulted in at least 4 deaths and injuries to 10 people. On 15 June, at least 16 people were killed and 20 others injured in fighting between rival militias over land and pasture rights in the same area. During the week of 19 to 26 June in the Bay region, about 10 persons were killed and 9 others were wounded in fighting between the Digil-Mirifle sub-clans in the area, including the Leysan, Luway and Yantar. The fighting was related mainly to land and water disputes. On 13 August, fighting took place in Idale between the Yantar and Huber sub-clans of the Digil-Mirifle over control of the village and water and grazing rights, which resulted in 12 deaths. A week later the elders of the Digil-Mirifle intervened to mediate an end to the fighting.

51. In the Gedo region in southern Somalia, fighting from 5 to 11 June near the border with Kenya between the Garre and the Marehan clans over the control of Elwak town led to 13 reported deaths. The town has been contested by the two clans over the past six months. Fighting was again reported on 22 and 23 July in Elwak between the same clans, resulting in 32 deaths and injuries to over 60 persons. Clan elders and the Kenyan authorities intervened in mid-August to help resolve the dispute. Efforts aimed at reconciliation between the two sides continued into the month of September.

52. There have been no significant incidents between "Somaliland" and "Puntland" in the disputed regions of Sanaag and Sool in past months, although there still appears to be no progress towards a political solution. The issue of the exchange of prisoners captured in the conflict in the disputed regions in 2004 is being resolved through the facilitation of the Independent Expert of the Commission on Human Rights on the situation of human rights in Somalia.

## VII. Humanitarian situation

53. The humanitarian situation in Somalia continues to be affected by the security situation in the country and by climatic conditions. According to a recent assessment, the number of people in need of urgent assistance has increased since February 2005, with the most critical communities in need of assistance now being in southern Somalia.

54. Between 920,000 and 950,000 people, including 370,000 to 400,000 internally displaced persons, are in need of urgent assistance at least until early 2006. According to a recently released report of the Food and Agriculture Organization of the United Nations (FAO), around 345,000 people are in a state of livelihood crisis, while 200,000 are experiencing a humanitarian emergency. Most of those communities are in southern Somalia, where about 169,000 people in Gedo, Bakool, Middle and Lower Juba are in a state of humanitarian emergency. The Juba Valley in particular continues to be beset by high malnutrition (above 20 per cent in some areas) and mortality rates, while Gedo is beset by chronic food insecurity. During the recent consultations on the Consolidated Appeal for Somalia, United Nations agencies and non-governmental organizations agreed to give priority to those communities in 2006.

55. More than three years of drought have come to an end in the northern and central regions due to two good consecutive rainy seasons (*deyr* 2004-2005 and *gu* 2005). This has aided the recovery of pastoral livelihoods, and the area is no longer in a humanitarian emergency phase. Still, in the northern and central regions, 254,000 people remain in an acute livelihood crisis. It will take a considerable amount of time before full recovery is achieved given the loss of livestock, levels of indebtedness and severe environmental depletion caused by the prolonged drought. In the central regions, unresolved conflicts also continue to affect livelihoods and delay recovery.

56. Somalia continues to be vulnerable to floods. Thousands of households were affected during the flooding that occurred in May and June 2005 due to high flows from the Ethiopian catchments of the Shabelle and Juba rivers. Aid agencies mobilized a response, yet the unusual *gu* flows highlighted the need for well-developed early warning and emergency preparedness plans. Efforts are being made, in collaboration with affected communities and local authorities to update the inter-agency action plan for flood forecasting, preparedness and response for the Juba and Shabelle Rivers in Somalia. It is anticipated that the inter-agency action plan will be updated in time for the 2005-2006 *deyr* season, when flooding usually occurs.

57. Relative stability in the northern zones has continued to facilitate access in most regions, with the exception of the contested Sool and Sanaag regions. In recent months, the House of Elders (*Guurti*) has discussed the organization of a peace conference in the Sool region, but no progress has yet been made. Any heightened tension in this area could further impede access to needy populations.

58. In southern and central Somalia, while the prevailing security conditions continued to negatively impact humanitarian access in most regions, recent improvements in specific areas bode well for the reopening of those areas to humanitarian activities. It is expected that with security improvements in Kismayo, there will be a gradual resumption of humanitarian activities in the district, particularly in reaching around 15,000 internally displaced persons in the town of

Kismayo and the riverine communities hit by the 2005 *gu* floods. Many of the improvements stem from localized reconciliation efforts and pressure from civil society on leaders to ensure not only a more secure environment but also better social services and more accountability. However, in Gedo, continued clashes between the Garre and Marehan prevented humanitarian organizations from reaching and providing assistance to the estimated 15,000 persons displaced by the fighting.

59. The protective environment in Somalia, particularly in the southern and central areas, where the bulk of 370,000 to 400,000 internally displaced persons reside is still very weak. During the reporting period, the United Nations country team finalized a joint strategic framework to enhance the protection of internally displaced persons, returnees and other vulnerable populations, improve their current living conditions and foster durable solutions.

60. In Somalia, tsunami-related activities are now fully in the rehabilitation/recovery phase. Preparations are under way for an integrated development project along the northern coast to provide shelter to over 2,400 people living in the tsunami-affected town of Hafun. The project, which will help bring basic social services and economic development to the town, will be implemented by United Nations agencies and partners undertaking water and sanitation, rehabilitation of schools, infrastructure and health activities. As the resumption of the fishing season draws closer, discussions are under way with the "Puntland" fisheries authorities to strengthen the sector so as to maximize productivity.

## VIII. Operational activities to promote peace

### Governance

61. The Somalia emergency budgetary support project for the Transitional Federal Government began in April 2005 as a coordinated funding mechanism to provide budgetary support to the transitional federal institutions, strengthen their capacities and assist their relocation into Somalia. A total of 275 members of Parliament, along with more than 400 other officials, have been relocated back to Somalia. The project has also rehabilitated and equipped offices and has provided support to internal transportation and logistical support to the Transitional Federal Government.

62. The Civil Service Institute opened in Hargeysa in August 2005. The Institute is a public-private partnership, whose main partners include the Civil Service Commission of "Somaliland" and the University of Hargeysa. UNDP is facilitating the partnership process and is providing technical and budgetary support to the new Institute. While its main focus will be on developing the capacity of the civil service in areas such as management, planning, office skills and accounting, private companies and non-governmental organizations will also be able to contract training services for their staff.

63. The qualified expatriate Somali technical support project established to engage the Somali diaspora in the rebuilding of the country has increased the number of Somalis coming home to assist for short periods of time. The sectors of involvement include governance and manufacturing, among others. During 2005, 15 Somalis committed themselves to assisting organizations in "Somaliland", "Puntland" and South/Central Somalia in the education, agriculture and health sectors. Of the 15

participants, 4 are female. So far, two assistance projects have been completed in education and health.

#### **Joint needs assessment**

64. The concept note for the Somali joint needs assessment is now finalized and has been accepted by Somali stakeholders, including the Somali Transitional Federal Government. The concept note outlines the way forward for the Somali joint needs assessment and includes substantial participation by Somalis in the exercise, as both government and zonal counterparts and international experts from the Somali diaspora. The coordination structure and mechanisms of participation in the joint needs assessment process are now in place. They include a secretariat, an operational oversight committee called the coordination support group, and a strategic oversight committee called the joint planning committee. Work is currently under way in assembling the joint needs assessment teams made up of cluster leaders and sub-cluster experts from the United Nations, the World Bank, and international experts, including members of the Somalia diaspora and Somali counterparts. Further information can be found on the joint needs assessment website <http://somali-jna.org>.

#### **Human rights**

65. In August 2005, the Independent Expert of the Commission on Human Rights on the situation of human rights in Somalia undertook his fifth fact-finding mission to the region. He was encouraged by the increasingly visible role played by civil society in advocating for human rights. He strongly condemned the assassination of human rights defenders and journalists during 2005 (see para. 44 above). Among the continuing issues of concern, the Independent Expert highlighted: the conditions of internally displaced persons and minority groups; the exploitation of the Somali coastline, in particular, unregulated fishing activities by foreign companies and human trafficking, which affects thousands of individuals every year; prison conditions; oppression of peace activists and journalists; measures taken by some countries to repatriate Somali asylum-seekers; and conflict related detainees between "Puntland" and "Somaliland". The Independent Expert was encouraged to hear of the intention of the Transitional Federal Government to establish an independent human rights commission.

#### **Rule of law**

66. The United Nations Rule of Law and Security Programme has been providing technical and financial support for a law enforcement seminar and training workshop for the Somali Police Force in Kampala, since August 2005. The workshop brings together former police personnel from across the country in order to develop a road map to guide the rebuilding of the civilian police force. As a first step towards demobilization, disarmament and reintegration, the Programme is also supporting demobilization efforts in and around Mogadishu through a pilot initiative entitled "Support for peacebuilding and demilitarization" (see paras. 38 and 43 above).

67. Donors are providing support for the United Nations to facilitate the participation of the Transitional Federal Government in the meeting of the Standing Committees of the States Parties to the Convention on the Prohibition of the Use,

Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction. This is a preliminary step in the accession process to becoming a full signatory of the Ottawa Treaty. The activity is part of an ongoing dialogue between the United Nations Rule of Law and Security Programme and the Transitional Federal Government on mine-related issues and support to processes that will ensure it is aware of, and could consider participating in, relevant international legal instruments.

68. In July 2005, phase 1 of the construction of the Armo Police Training Academy in "Puntland" was completed. The first cohort is expected to begin training in October 2005. The academy will be an important institution to implement the new training syllabus and support the implementation of the road map for the rebuilding of the civilian police force. The local community has contributed substantially to the construction of the academy. Once completed, the academy is expected to provide high-quality training to support the eventual creation of a nationwide civilian police force.

69. The rehabilitation of a prison in Berbera was completed in July 2005. The facility is the first of its kind, and features a proper infirmary for inmates. The United Nations has provided support for the training of the custodial staff, which was consistent with international human rights standards, on the treatment of detainees.

70. A legal clinic support project at the University of Hargeysa has achieved significant results in reducing the waiting period of remanded individuals in "Somaliland". The legal clinic also provides free legal representation for individuals who are financially disadvantaged.

#### **Water and sanitation**

71. A sustainable water supply system in the tsunami-affected town of Hafun is under construction. This will increase the coping capacity of the community in future emergency situations. Efforts towards preventing cholera outbreaks in Mogadishu, including the chlorination of water supplies and close collaboration with the health sector, have been ongoing. No cholera outbreaks have taken place in 2005.

72. Two major water and sanitation programmes are under way. A rural water programme for central and southern Somalia started in March 2005, and a countrywide urban water and sanitation programme began in July. The rural programme aims to achieve permanent improvement of access to water through improved technologies and strengthened social mobilization. The urban water programme aims to build on public-private partnership management models for town water systems. It will be closely integrated with other urban development activities.

#### **Health**

73. The United Nations organized a six-week data management course which ended in June 2005 in collaboration with the Higher Institute of Public Health in Alexandria, Egypt for 15 Somali health workers from different parts of the country who are responsible for disease surveillance and monitoring. The participants received training in advanced data management and analytical skills. It is hoped that

the skills and knowledge they acquired will improve the quality and utility of surveillance information generated.

74. A national malaria control strategy is under way, and 80,000 insecticide-treated nets have been delivered to hyper-endemic areas with further consignments set to arrive. Insecticide-treated nets will be distributed to pregnant women during the upcoming maternal and neonatal tetanus campaign. New malaria diagnosis and treatment guidelines are being introduced that initiate artemisinin-based combination therapy. Information, education and communication materials have been developed to support those activities.

75. In an effort to ensure that polio cases in countries neighbouring Somalia do not cross the border, additional national immunization days have taken place using Monovalent oral polio vaccine (OPV) to pre-empt reintroduction of the polio virus. Unfortunately, despite those efforts, the re-emergence in Mogadishu of the wild polio virus P1 will call for more vigorous eradication activities with the support of the international community.

#### **HIV/AIDS**

76. In June 2005, a joint United Nations mission on HIV/AIDS travelled to "Somaliland" for the launch of the first anti-retroviral therapy project in Hargeysa, which is being supported by several United Nations agencies and non-governmental organizations. Most importantly, it has been endorsed by the "Somaliland" authorities. Led by the Joint United Nations Programme on HIV/AIDS, United Nations agencies and partners are developing a United Nations Implementation Support Plan for HIV/AIDS in Somalia that ensures a coordinated and effective response to the disease.

77. A leadership advocacy toolkit for community and religious leaders is being used to train religious and community leaders from all regions of Somalia. The toolkit references the Koran in fighting stigma and discrimination and advocates for HIV/AIDS awareness and care. Community leaders and local non-governmental organizations were given training on basic counselling skills in order to develop a cadre of psychosocial support givers in communities. Simultaneously, a counselling needs assessment was conducted in all three regions to establish the level of awareness of services and needs.

#### **Education**

78. The 2004-2005 annual primary school survey is under way. The survey should be ready for distribution in November 2005. Related to this activity, new education management and information tools have been introduced to 120 master trainers/mentors across all regions, which will increase local capacities in educational data management.

79. An enrolment and advocacy drive continues across the three regions, with a special focus on girls and children in settlements for internally displaced persons. Within a period of six months, approximately 100,000 new children were enrolled to begin school in September. This enrolment drive involved partnerships with educational authorities, communities and schoolchildren themselves. Primary alternative education centres have been established throughout the country with a total of 60,000 students, including children and youths.

80. Since July 2005, mentor and teacher training campaigns have been initiated, targeting 120 mentors and approximately 9,000 teachers across the country. The mentors are a core group of Somali trainers who have been trained in the essentials of pedagogy and educational management.

#### **Child protection and youth**

81. During the reporting period, three of the United Nations local partners in Somalia have trained and recruited community-based child protection advocates and are now actively working with vulnerable and disadvantaged communities to assist in finding solutions to such problems. The United Nations is supporting a training exchange for Somali psychosocial workers, enabling them to visit psychosocial support projects in Uganda as a means of capacity development and to undertake psychosocial support and care interventions at the community level.

82. In a follow-up to Security Council resolutions on children affected by armed conflict, in particular resolution 1612 (2005), a strong partnership has been established between the United Nations and the non-governmental organization NOVIB Somalia to initiate community-based reporting and monitoring on child rights and child protection violations.

83. During the reporting period, 33 youth peer educators underwent training for trainers in Hargeysa. They will train youth groups in organizational development and in youth peer skills in their home communities.

### **IX. Observations**

84. Some progress has been made in the peace process in Somalia, particularly with the formation and return of the transitional federal institutions back to the country. However, the peace process remains fragile, and much remains to be done in overcoming the current political impasse through dialogue. The effective functioning of the transitional federal institutions is important and urgent. It is unfortunate that, one year after the conclusion of the Somali National Reconciliation Conference, the leaders of those institutions are still assuming rigid positions, even against entering into a dialogue, instead of tackling the more pressing issues of a national security plan, reconciliation and improvement of the quality of life of the Somali people.

85. Unless the differences within the transitional federal institutions are addressed, the current political impasse could grow into deeper divisions and undermine the very institutions that the people of Somalia so ardently desire and the international community and the United Nations are willing to support.

86. I am deeply concerned that the political tensions between the leaders of the transitional federal institutions have given rise to military preparations on their part. There are persistent reports of increased violations of the arms embargo. I call on the Somali leaders and countries of the region, in particular, not to be part of an exacerbation in political and military tensions. The threat of violence must be averted by all concerned. I once again urge the Somali leaders to enter into a comprehensive ceasefire agreement.

87. I am compelled to draw attention to the events outlined in paragraphs 32 and 44 to 46 above that forced the relocation of international United Nations staff from Jawhar in early September. The people of Somalia need and want the assistance of international workers and their Somali partners who are implementing much needed programmes in the country. Tangible improvement in the security situation on the ground is an essential responsibility of the Somali leaders.

88. I welcome the expressed willingness of the Speaker of Parliament, Sharif Hassan Sheikh Aden, to enter into dialogue under the auspices of the United Nations. I equally welcome the public statements of Prime Minister Ali Mohammed Gedi in favour of dialogue within the framework of the transitional federal institutions. His initiative to hold consultations that are to lead to cabinet meetings in Mogadishu could open the road to agreement on outstanding issues. I urge all Somali leaders to undertake the necessary steps towards reconciling their differences.

89. The Somali leaders and delegates who had gathered in Nairobi for over two years at the Somali National Reconciliation Conference and adopted the Transitional Federal Charter attached great importance to the role of Parliament. I urge them and the international community to help build the capacity of the Somali transitional institutions, including the Transitional Federal Government, the Parliament and the judiciary. An active and robust Parliament could serve as a national forum of debate and reconciliation and is essential for the realization of a healthy democratic order in Somalia. Likewise, the functioning of an independent judiciary is urgently needed for the restoration of law and order and the protection of human rights in Somalia.

90. I express my appreciation to the neighbouring countries, IGAD, AU, the League of Arab States, EU and concerned Member States for their keen interest and persistent efforts in support of the peace process in Somalia. I urge them to use their influence and leverage to ensure that the transitional federal institutions resolve their differences, through an inclusive dialogue, and to move ahead on the key issues of security and national reconciliation.

91. I would like to use this opportunity to call on all members of the international community to support the efforts of my Special Representative, François Lonseny Fall, to bring about an inclusive dialogue among the leaders of the transitional federal institutions aimed at achieving peace, reconciliation and development in Somalia. However, I once again underline that the sustained support of the international community, speaking with one voice, to encourage the Somali leaders to effectively begin dialogue would be crucial in overcoming the current impasse.

92. I commend the United Nations programmes and agencies and their partners for continuing to provide humanitarian assistance and undertake innovative and much needed operational activities in support of reconstruction and rehabilitation in Somalia. I call on all donors to support such programmes generously.



## Security Council

Distr.: General  
11 October 2005

Original: English

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### **Letter dated 11 October 2005 from the Permanent Representative of Nigeria to the United Nations addressed to the President of the Security Council**

In my capacity as the representative of the current Chairman of the African Union, I have the honour to forward herewith, in English and French, the communiqué on the deteriorating situation in Darfur, issued at the 41st meeting of the Peace and Security Council of the African Union, held in Addis Ababa on 10 October 2005 (see annex).

I should be grateful if the text of the present letter and its annex could be circulated as a document of the Security Council.

*(Signed)* Aminu Bashir Wali  
Ambassador

Permanent Representative of Nigeria to the United Nations  
Representative of the current Chairman of the African Union



**Annex to the letter dated 11 October 2005 from the Permanent Representative of Nigeria to the United Nations addressed to the President of the Security Council**

[Original: English and French]

**Communiqué of the 41st meeting of the Peace and Security Council of the African Union**

The Peace and Security Council (PSC) of the African Union (AU), at its 41<sup>st</sup> meeting, held on 10 October 2005, adopted the following decision on the deteriorating security situation in Darfur:

**The Council,**

1. **Expresses deep concern** over the deteriorating security situation throughout Darfur since late August 2005, including the killings, wounding, and abduction of the African Union Mission in the Sudan (AMIS) personnel, and the recent trend whereby civilians and IDPs are deliberately targeted and effective delivery of humanitarian assistance impeded, as well as the shoot-to-kill policy against the AMIS personnel and others;
2. **Unreservedly condemns** the killing of two members of the Nigerian contingent serving with AMIS in Sector 2, Nyala, and two civilian drivers, employees of an AMIS contractor, PAE, as well as the abduction of 38 AMIS personnel in Sector 5, Tine, and the seizure of their equipment and vehicles. Council **demands** the immediate and unconditional release of all abducted AMIS personnel, together with their equipment and vehicles. Council **holds** the parties responsible for the atrocities committed and **requests** them to hand-over the perpetrators to be brought to justice;
3. **Equally condemns**, as reported by the AMIS, the attack by the Sudan Liberation Movement Army (SLMA) on Arab nomads in Turba, near Al Malam, on 23 August 2005, followed by their attack on the Government of the Sudan (GoS) military camp in Sheiria on 19 September 2005, as well as the Janjaweed/Armed militia attack on Aru Sharo, Arga and Gosmino, on 28 September 2005, and the attack on Tawilla and its IDP camps on the 29 September 2005, all of which resulted in high casualty on innocent civilians and disruption to humanitarian activities in the area;
4. **Expresses concern** that these incidents, unless brought to an immediate end, could adversely affect the on going efforts to bring about a comprehensive peace agreement in Darfur,
5. **Demands** that all the parties fully respect their commitments under the N'djamena Humanitarian Ceasefire Agreement of 8 April 2005 and the related Abuja Protocols on Humanitarian and Security Issues, and avoid acts that could undermine the AU efforts in Darfur. In this respect, Council **calls upon** the rebel movements to submit to the verification of their locations and **urges** especially SLM/A to refrain from further violation of the N'djamena Ceasefire Agreement and the Abuja Protocols by attacking GoS positions and military convoys, as well as hindering AMIS patrols and the free flow of commercial and humanitarian traffic on the roads. Council **further calls upon** the GoS to restrain its police and military and use all necessary means to restrain and disarm the Janjaweed/armed militia;

6. **Requests** the GoS to cooperate fully with AMIS, particularly as it concerns the deployment of equipment necessary to enhance the effectiveness of the Mission. In this regard, Council **calls on** the GoS to expedite action on the issuance of diplomatic clearance for the deployment of all of 105 Armored Personnel Carriers necessary for the protection of AMIS personnel and civilians in danger of attack;
7. **Urges** all the parties to fully participate in the Joint Commission meeting scheduled to be held in N'djamena on the 13<sup>th</sup> October 2005;
8. **Requests** the Commission to examine ways and means of strengthening the mechanisms for effective compliance by the Sudanese parties with all the agreements they have signed as well as with the decisions of the Ceasefire Commission and the Joint Commission and to urgently submit, for consideration and decision by Council, concrete proposals on the best way forward;
9. **Expresses support** to the decision of the Chairperson of the Commission to dispatch a high level military team to Darfur to assess the situation and make recommendations on how to prevent the recurrence of such incidents in the future;
10. **Decides** to bring to the attention of the United Nations Security Council the prevailing situation in Darfur;
11. **Reaffirms** its full support to, and confidence in, the Special Representative of the Chairperson of the Commission, Ambassador Baba Gana Kingibe, as well as the entire AMIS personnel, for their tireless efforts and dedication to the cause of peace in Darfur and **urges** all parties to extend unreserved cooperation to AMIS to enable it discharge its mission effectively;
12. **Decides** to remain seized of the matter.

**Security Council**

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12 October 2005

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**Letter dated 11 October 2005 from the Secretary-General to the President of the Security Council**

I have the honour to refer to Security Council resolution 1606 (2005) dated 20 June 2005, by which the Council requested me to initiate negotiations with the Government of Burundi and consultations with all Burundian parties concerned on how to implement the recommendations contained in the report of the assessment mission (see S/2005/158) on the establishment of a mixed Truth Commission and a Special Chamber within the court system of Burundi. I was further requested to report to the Council by 30 September on details of implementation, including costs, structures and time frame.

Since the adoption of Security Council resolution 1606 (2005), a number of important developments have taken place within Burundi, necessitating some delays in the timetable initially envisaged for the start of the negotiations with the Government. On 18 July, the Transitional Government of Burundi had appointed a Commission to negotiate with the United Nations the establishment of the Truth Commission and the Special Chamber. However, with the ongoing electoral process in Burundi, which culminated in the inauguration of President Pierre Nkurunziza on 26 August, negotiations with the United Nations did not take place. With the installation of a new Government in Burundi, the Commission established by the Transitional Government has been disbanded and a new negotiating team has yet to be appointed.

During meetings in early September with the United Nations Operation in Burundi, President Nkurunziza and the newly appointed Minister of Justice, Clotilde Niragira, expressed the Government's support, in principle, for the establishment of the dual-accountability mechanism, with the establishment of a Truth Commission to precede that of a Special Chamber. In this regard, they indicated their intention to nominate a small committee to liaise with the United Nations on the details of the proposed legal framework. In these and similar meetings, however, it was made clear to the Operation that the Government of Burundi would not be ready to engage in substantive negotiations before 30 September.

In preparation for the negotiations with the Government of Burundi on the practical implementation of the legal framework for the Truth Commission and the Special Chamber, a series of consultations among Secretariat Departments and Offices, and between the Secretariat and relevant non-governmental organizations, have taken place at United Nations Headquarters. The discussions focused on coordination among the Departments and Offices concerned and their respective



roles in the process of elaborating the operational modalities of both accountability mechanisms, the interrelationship between the two and their sequencing in time. A legal framework for the dual-accountability mechanism elaborated on the basis of these consultations will be shared with the Government as a basis for negotiation.

In parallel, the Office of the United Nations High Commissioner for Human Rights undertook a preparatory mission to Burundi between 27 September and 1 October to discuss coordination between the Office and the United Nations Operation in Burundi in the establishment of a Truth Commission, the initiation of an information campaign, the design of a national consultative process on both mechanisms, and the organization of a national conference on transitional justice.

In the coming weeks, the United Nations Operation in Burundi will initiate preparatory discussions with members of the Government. These discussions will focus on the nature of the Truth Commission and the Special Chamber proposed in the assessment mission report, and on the negotiation and national consultations processes.

On the basis of the preliminary results of the consultative process, the preparatory discussions with the Government of Burundi and its readiness to start the negotiating process, a United Nations mission will be dispatched to Burundi to negotiate the practical implementation of the legal framework for the dual-accountability mechanism and will report in due course to the Security Council as requested in its resolution 1606 (2005).

(Signed) Kofi A. Annan

**Security Council**

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12 October 2005

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**Letter dated 7 October 2005 from the Permanent Representative of Uganda to the United Nations addressed to the President of the Security Council**

On instructions from my Government, I wish to strongly protest the unwarranted and vehement attacks made by the Permanent Representative of the Democratic Republic of the Congo, Mr. Ileka Atoki, against my country and the person of President Yoweri Kaguta Museveni as contained in Security Council document S/2005/620. The allegations are not only misrepresentations, but they are also false and a figment of the imagination. Uganda would like to believe that the Permanent Representative is totally unaware of the high level of cooperation that is taking place between the Government of Uganda on the one hand, and the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) and the Government of the Democratic Republic of the Congo on the other.

Let me now comment on some of the assertions made by the Permanent Representative.

- (a) Uganda's expression of concern over the presence of the Lord's Resistance Army (LRA) in Garamba National Park in Eastern Democratic Republic of the Congo is an affront to the international community and a flagrant violation of the Charter of the United Nations

One fails to understand why pointing out the presence of these terrorists on the territory of the Democratic Republic of the Congo is an affront to international community or a violation of the Charter of the United Nations. Be that as it may, the threat to international peace and security is currently posed by negative forces, mainly the LRA and other negative forces, including the Allied Democratic Forces (ADF), the National Army for the Liberation of Uganda (NALU) and the People's Redemption Army (PRA), presently stationed on the territory of the Democratic Republic of the Congo. As a responsible and sovereign State, Uganda is expected to guarantee peace and security of her citizens, who, for an extended period of time, have been terrorized by these armed groups, using the territory of some neighbouring States as bases from which to attack Uganda. Uganda has an obligation to defend itself if attacked, in accordance with Article 51 of the Charter of the United Nations. There is no planned attack on the Democratic Republic of the Congo, and none is envisaged.



- (b) That the Government of the Democratic Republic of the Congo harbours no hidden agenda against any of its neighbours

Uganda has heard these assertions several times before from officials at various levels of leadership in the Democratic Republic of the Congo. She has every reason to believe them. All that Uganda points out is that for a long time now various groups of anti-Uganda rebels, including the Allied Democratic Forces (ADF), the National Army for the Liberation of Uganda (NALU) and the People's Redemption Army (PRA), have been stationed in the Democratic Republic of the Congo. The international community, under the Lusaka Peace Accord and various resolutions of the United Nations Security Council, have called for their disarmament, demobilization and resettlement. It is Uganda's hope that the Government of the Democratic Republic of the Congo and MONUC will do everything possible to disarm these negative elements. The authorities in the Democratic Republic of the Congo have an international obligation to make sure that their country is not used as a base from where these rebels come to attack Uganda.

We are encouraged that the Government of the Democratic Republic of the Congo has taken steps to act against the LRA terrorists who entered their country from the Sudan.

- (c) That the LRA does not have the capacity to harm the Government of Uganda

This allegation is most unfortunate. The danger posed by LRA to the civilian population is internationally well known. To do nothing about such an evil group under the ill-advised pretext that it poses no threat to the Government is to abdicate the cardinal responsibility of any State, that is, to guarantee the safety of its citizens. Moreover, to link the performance of this duty to electoral politics is to engage in extreme absurdity. Uganda's leadership under President Yoweri Kaguta Museveni is above such unprincipled politics. It is unfortunate that the Permanent Representative of the Democratic Republic of the Congo has taken on the role of a devil's advocate.

- (d) The determination of Uganda's business sector to provide weapons to the armed groups in the district of Ituri

This is a contemptuous allegation that the Permanent Representative of the Democratic Republic of the Congo can neither prove nor substantiate. Ugandan businessmen do not trade in arms and therefore have no arms to give to the armed groups in Ituri. It is interesting to note that some of these armed groups may be getting their weapons from within the Democratic Republic of the Congo itself, as pointed out by the Secretary-General in his nineteenth report on MONUC (S/2005/603) to the Security Council. It is, therefore, obscurantist to accuse Ugandan businessmen of arms trafficking.

- (e) Uganda's support for Congolese militia

Uganda does not support any Congolese militia as alleged by the Permanent Representative of the Democratic Republic of the Congo. Uganda treasures peace and believes that the current instability in the Great Lakes Region is a disincentive to development. Peace will enhance development and lift the region from its present poverty. Uganda believes that a stable, prosperous and well-led Democratic Republic of the Congo is good both for herself and for the region. It is also easier and more rewarding to deal with a stable and predictable neighbour.

It is with this desire for peace that Uganda has been an active participant in the regional peace processes, including the Great Lakes Conference and the Tripartite Commission Plus One, among others. Through this participation and through bilateral contacts, Uganda and the Democratic Republic of the Congo have worked together on the evolution of some credible mechanisms geared towards the realization of durable peace, such as the Joint Verification Mechanism, the Intelligence Sharing Mechanism and bilateral joint commissions. The Permanent Representative of the Democratic Republic of the Congo should be aware of Uganda's action of declaring *personae non gratae* six leaders of the Movement révolutionnaire congolais (MRC) as reported in Security Council document S/2005/603. Surely this cannot be interpreted as support for the militia.

(f) Recommendations for action by the international community

The Permanent Representative of the Democratic Republic of the Congo, in his ill-advised manner, calls on the international community to undertake various measures against Uganda and her leadership. His recommendations, contemptuous and outrageous as they are, can only serve to increase instability in the region. They reflect the mind of an individual far removed from the realities on the ground.

Since the entry of the Lord's Resistance Army (LRA) into the Democratic Republic of the Congo, Uganda has worked with the Government of the Democratic Republic of the Congo to find a solution. We have made numerous contacts with them at various levels to urge them to take firm and prompt steps to disarm and arrest these terrorists and hand them over to MONUC for prosecution for crimes against humanity committed over the years. These contacts have ranged from telephone discussions between President Yoweri K. Museveni and President Joseph Kabila, meetings between Uganda security officers and their counterparts in the Democratic Republic of the Congo to meetings between respective local leaders on either side of our common border, with the full participation of MONUC.

In all these contacts, the Government of Uganda has reiterated its adherence to, and support for, all bilateral, regional and international agreements and arrangements governing the peaceful relations between our two countries. Uganda's sole interest and unequivocal demand has been that the LRA terrorists should be promptly disarmed, arrested and brought to justice. At no time has the Government of the Republic of Uganda or its armed forces made any overt or covert attempt to enter the territory of the Democratic Republic of the Congo to attack the LRA terrorists.

The Government of the Republic of Uganda was, therefore, deeply shocked by the strident and unprovoked attacks perpetrated by the Permanent Representative of the Democratic Republic of the Congo. We are convinced that the Permanent Representative of the Democratic Republic of the Congo is critically unaware of the healthy dialogue that is going on between the two Governments aimed at the restoration of full diplomatic relations and cooperation between our two countries as well as peace throughout the region.

Accordingly, the Government of the Republic of Uganda has demanded that the Government of the Democratic Republic of the Congo reign in its Permanent Representative and recommit itself to the ongoing process of cooperation in peaceful resolution of all outstanding issues between the two countries. In this immediate case, the Government of the Republic of Uganda has expressed her

confidence that the Government of the Democratic Republic of the Congo will continue to implement all necessary measures to apprehend and disarm Vincent Otti and his LRA terrorists currently within its territory.

The LRA and other negative forces constitute the real source of tension and potential conflict in relations between Uganda and the Democratic Republic of the Congo. The Government of the Republic of Uganda requests that the United Nations Security Council take adequate and urgent measures to ensure that the Democratic Republic of the Congo and MONUC are given all the necessary assistance to disarm and demobilize these negative forces. It is only after such action that durable and lasting peace shall be realized.

I should be grateful if you would arrange for the present letter to be circulated as a document of the Security Council.

(Signed) Francis K. Butagira  
Ambassador  
Permanent Representative

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**Security Council**

Distr.: General  
13 October 2005

Original: English

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**Draft resolution**

*The Security Council,*

*Reaffirming* its previous resolutions and the statements of its President concerning the situation in Somalia, in particular resolution 733 (1992) of 23 January 1992, which established an embargo on all delivery of weapons and military equipment to Somalia (hereinafter referred to as the "arms embargo"), resolution 1519 (2003) of 16 December 2003, resolution 1558 (2004) of 17 August 2004 and resolution 1587 (2005) of 15 March 2005,

*Reaffirming* the importance of the sovereignty, territorial integrity, political independence and unity of Somalia,

*Reiterating* the urgent need for all Somali leaders to take tangible steps to begin political dialogue,

*Reaffirming* its strong support for the leadership of the Special Representative of the Secretary-General in his efforts in fostering inclusive dialogue, particularly through his road map for dialogue among the leaders of the Transitional Federal Institutions,

*Stressing* the need for the Transitional Federal Institutions to continue working towards establishing effective national governance in Somalia,

*Commending* the efforts of the African Union and the Intergovernmental Authority on Development in support of the Transitional Federal Institutions and welcoming the African Union's continued support for national reconciliation in Somalia,

*Taking note* of the report of the Monitoring Group dated 22 August 2005 (S/2005/625, annex) submitted pursuant to paragraph 3 (i) of resolution 1587 (2005) and the observations and recommendations contained therein,

*Condemning* the significant increase in the flow of weapons and ammunition supplies to and through Somalia, which constitutes a violation of the arms embargo and a serious threat to the Somali peace process,

*Reiterating* its insistence that all Member States, in particular those in the region, should refrain from any action in contravention of the arms embargo and should take all necessary steps to hold violators accountable,

*Reiterating and underscoring* the importance of enhancing the monitoring of the arms embargo in Somalia through persistent and vigilant investigation into the



violations, bearing in mind that strict enforcement of the arms embargo will improve the overall security situation in Somalia,

*Determining that the situation in Somalia constitutes a threat to international peace and security in the region,*

*Acting under Chapter VII of the Charter of the United Nations,*

1. *Stresses* the obligation of all Member States to comply fully with the measures imposed by resolution 733 (1992);

2. *Expresses* its intention, in light of the report of the Monitoring Group dated 22 August 2005 (S/2005/625, annex), to consider specific actions to improve implementation of and compliance with measures imposed by resolution 733 (1992);

3. *Decides to request* the Secretary-General, in consultation with the Committee established pursuant to resolution 751 (1992) of 24 April 1992 (hereinafter referred to as "the Committee"), to re-establish within thirty days from the date of the adoption of this resolution, and for a period of six months, the Monitoring Group referred to in paragraph 3 of resolution 1558 (2004), with the following mandate:

(a) to continue the tasks outlined in paragraphs 3 (a) to (c) of resolution 1587 (2005);

(b) to continue to investigate, in coordination with relevant international agencies, all activities, including in the financial, maritime and other sectors, which generate revenues used to commit arms embargo violations;

(c) to continue to investigate any means of transport, routes, seaports, airports and other facilities used in connection with arms embargo violations;

(d) to continue refining and updating information on the draft list of those individuals and entities who violate the measures implemented by Member States in accordance with resolution 733 (1992), inside and outside Somalia, and their active supporters, for possible future measures by the Council, and to present such information to the Committee as and when the Committee deems appropriate;

(e) to continue making recommendations based on its investigations, on the previous reports of the Panel of Experts (S/2003/223 and S/2003/1035) appointed pursuant to resolutions 1425 (2002) of 22 July 2002 and 1474 (2003) of 8 April 2003, and on the previous reports of the Monitoring Group (S/2004/604 and S/2005/153) appointed pursuant to resolutions 1519 (2003) of 16 December 2003, 1558 (2004) of 17 August 2004 and 1587 (2005) of 15 March 2005;

(f) to work closely with the Committee on specific recommendations for additional measures to improve overall compliance with the arms embargo;

(g) to assist in identifying areas where the capacities of States in the region can be strengthened to facilitate the implementation of the arms embargo;

(h) to provide to the Council, through the Committee, a midterm briefing within 90 days from its establishment;

(i) to submit, for the Security Council's consideration, through the Committee, a final report covering all the tasks set out above, no later than 15 days prior to the termination of the Monitoring Group's mandate;

4. *Further requests* the Secretary-General to make the necessary financial arrangements to support the work of the Monitoring Group;

5. *Reaffirms* paragraphs 4, 5, 7, 8 and 10 of resolution 1519 (2003);

6. *Requests* the Committee, in accordance with its mandate and in consultation with the Monitoring Group and other relevant United Nations entities, to consider and recommend to the Council ways to improve implementation of and compliance with the arms embargo, in response to continuing violations;

7. *Further requests* the Committee to consider, when appropriate, a visit to Somalia and/or the region by its Chairman and those he may designate, as approved by the Committee, to demonstrate the Security Council's determination to give full effect to the arms embargo;

8. *Decides* to remain actively seized of the matter.

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**Security Council**

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13 October 2005

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**Letter dated 7 October 2005 from the Permanent Representative  
of Argentina and the United Kingdom of Great Britain and  
Northern Ireland to the United Nations addressed to the President  
of the Security Council**

It is our pleasure to send you the "Highlights and conclusions" of the seminar entitled "Advancing in the implementation of Security Council resolution 1540 (2004)", organized by the Government of the Republic of Argentina and sponsored by the United Kingdom of Great Britain and Northern Ireland.

The seminar, held in Buenos Aires from 26 to 28 September 2005, was the first such event covering an entire region and provided an excellent opportunity to better understand the obligations under Security Council resolution 1540 (2004).

We would like to call your attention to the fact that participants at the seminar agreed to request the 1540 Committee to help countries in the Latin American and Caribbean region to identify areas and priorities for future work.

We would also like to ask that this letter and the annex thereto be circulated as a document of the Security Council for the benefit of all Member States.

*(Signed)* Sir Emyr **Jones Parry**, KCMG  
Ambassador  
Permanent Representative

*(Signed)* César **Mayoral**  
Ambassador  
Permanent Representative



**Annex to the letter dated 7 October 2005 from the Permanent Representative of Argentina and the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council**

**Advancing in the implementation of Security Council resolution 1540 (2004), Buenos Aires, 26-28 September 2005**

**Highlights**

- Since the adoption of the resolution in April 2004, the seminar in Buenos Aires has been the first occasion for the 1540 Committee to reach out to representatives from a whole region; the seminar has addressed a broad range of issues related to implementation of resolution 1540 (2004) and its important role in preventing the proliferation of weapons of mass destruction, their means of delivery and related materials, in particular by non-State actors and terrorists. Among other important related issues, preventing illicit financing and border controls were mentioned.
- The interactive format of the discussions has contributed to a better comprehension of the objectives of Security Council resolution 1540 (2004) objectives as well as of the steps to be pursued by States in the implementation process.
- The fact that the General Assembly of the Organization of American States adopted resolution 2107 (XXXV-0/05) highlighted the importance States of the region attach to addressing threats to international peace and security through the fulfilment in this case of their obligations under Security Council resolution 1540.
- Experience gained in the establishment of national authorities under the Chemical Weapons Convention and the seminars organized by the Organization for the Prohibition of Chemical Weapons have helped in the implementation of obligations under resolution 1540 and have proved to be a valuable tool for States of the region.
- Implementation of resolution 1540 is a national responsibility. However, full implementation of this resolution by all States is a long-term objective which requires additional efforts to translate and enforce the requirement set forth in the resolution at the national level; full implementation of resolution 1540 will produce and increase security and economic dividends for all States; it will ensure a better protection of their territories and citizens and will facilitate their trade relations with third countries.
- Submission of national reports to the 1540 Committee is not just an obligation for States but also an essential tool for informing the Security Council about the progress achieved and challenges ahead in implementing the obligations pursuant to resolution 1540.
- The matrix which has been developed by the Committee is an important instrument that provides further guidance to States in preparing their first reports to the Committee, as well as in responding to the Committee's requests for additional information.

- There is an overwhelming amount of information available through the 121 national reports submitted until now. Forty-two States offered assistance and the experts of the 1540 Committee are available for any request Member States may have, and to provide them with direct assistance.
- Identification of potential additional sources of assistance by the Department for Disarmament Affairs, the Regional Centre for Disarmament and the Organization for the Prohibition of Chemical Weapons.
- Follow-up interaction and dialogue between the countries of the region and the 1540 Committee would be needed as the implementation process and the work of the Committee evolve.

### Conclusions

The Governments of Argentina and the United Kingdom will convey the results of the seminar to the Chair of the 1540 Committee.

Participants at the seminar:

1. Agree on the importance of designating a national point of contact for the preparation of their reports, as well as for follow-up action with the 1540 Committee.
2. Agree on the need to establish and ensure interministerial coordination, with adequate planning at the national level.
3. Request that the 1540 Committee help Member States of the region to identify priorities in the process of national implementation of resolution 1540.
4. Identified the following thematic meetings at which to continue the dialogue on implementation of resolution 1540:
  - The sixtieth session of the United Nations General Assembly, First Committee (New York, 3 October-2 November 2005);
  - Meeting of national legal experts at the United Nations (New York, 24-25 October 2005);
  - Meeting on nuclear and radiological safety under the auspices of the International Atomic Energy Agency (Ecuador, April 2006);
  - Meetings of the legal experts network of the Organization for the Prohibition of Chemical Weapons (TBD).
5. Liaise with the Department for Disarmament Affairs of the United Nations, the Regional Centre for Disarmament in Lima and the 1540 Committee focal point on assistance to pursue further action in follow-up to the regional seminar held in Buenos Aires from 26 to 28 September. This action could include workshops, seminars and training, building on regional experience, to promote the implementation of resolution 1540.

**Security Council**

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**Report of the Secretary-General on the situation concerning Western Sahara****I. Introduction**

1. The present report is submitted pursuant to Security Council resolution 1598 (2005) of 28 April 2005, by which the Council extended the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO) until 31 October 2005. The report covers developments since the issuance of my report dated 19 April 2005 (S/2005/254).

**II. Political situation**

2. During the reporting period, the deadlock between the parties over how to achieve a mutually acceptable solution that would enable the people of Western Sahara to exercise their right to self-determination has persisted. Recently, the Government of Morocco reiterated its readiness to conduct negotiations that would lead to the granting of autonomy to the Territory under Moroccan sovereignty. For its part, the Frente Polisario continued to support the implementation of the Peace Plan for Self-Determination of the People of Western Sahara (S/2003/565, annex II), presented to the parties in 2003 by my former Personal Envoy, James Baker.

3. Meanwhile, since my previous report to the Security Council (S/2005/254), there has been some unrest in the Territory, including demonstrations resulting in a number of arrests. A number of detainees in the custody of the Moroccan authorities went on a hunger strike from early August to 29 September.

4. On 25 July, I informed the Security Council of my decision to appoint Peter van Walsum (Netherlands) as my Personal Envoy for Western Sahara to help me assess the situation and to explore with the parties, neighbouring States and other stakeholders how best to overcome the present political impasse. As a first step, I requested Mr. van Walsum to establish contacts with the parties and neighbouring States to ascertain their views on the way forward. Following meetings in New York in August and early October, my Personal Envoy is expected to carry out his first visit to the region from 11 to 17 October.



### **III. Activities on the ground**

#### **A. Special Representative**

5. In May, I appointed my then Special Representative for Western Sahara, Alvaro de Soto, as Special Coordinator for the Middle East Peace Process and Special Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority. I would like to express my deep appreciation for his efforts to promote progress in the peace process during his assignment to Western Sahara. Following consultations, I appointed Francesco Bastagli (Italy), former Deputy Special Representative for Kosovo, as my new Special Representative for Western Sahara and head of MINURSO. Mr. Bastagli assumed his position in Laayoune on 14 September. In early October, he paid initial visits to the parties and representatives of the neighbouring States in Rabat, Rabouni (Algeria), Algiers and Nouakchott.

#### **B. Military**

6. In August, Major General György Száraz (Hungary) departed from Laayoune after three years of service as Force Commander of MINURSO. He was replaced by Major General Kurt Mosgaard (Denmark), who arrived in the Mission area on 16 September. As at 14 October, the military component of MINURSO stood at 227 personnel, including administrative clerks and a medical unit, against the authorized strength of 231. The military component continued to actively monitor the ceasefire which has been in effect since 6 September 1991.

7. During the reporting period, MINURSO performed 2,628 ground patrols and 114 air patrols to visit and inspect units of the Royal Moroccan Army and the military forces of the Frente Polisario, in accordance with military agreement No. 1 concluded between the Royal Moroccan Army and MINURSO on the one hand, and the Frente Polisario military forces and MINURSO on the other.

8. Violations by both parties, as outlined in my previous report, have continued. They amount to a serious deterioration in compliance with military agreement No. 1. The violations include activities such as the enhancement of physical structures in the restricted areas defined by the agreement and the imposition of restrictions on movements of United Nations military observers. In addition, new violations occurred during the reporting period. From 14 April to 14 September, MINURSO observed 13 violations by the Royal Moroccan Army and 10 violations by the military forces of the Frente Polisario. These included brief incursions into the buffer strip by armed elements from both sides, construction of new physical structures and movement of military units without prior notification or approval by MINURSO. At the same time, civilian activities, including demonstrations by Polisario supporters, continued to take place in the buffer strip. Although the demonstrations do not constitute a breach of military agreement No. 1, they have contributed to increased tensions on the ground and may result in incidents and a deterioration of the situation along the berm.

9. With regard to military agreements No. 2 and No. 3, the parties continued to extend a high level of cooperation to MINURSO in the marking and disposal of mines and unexploded ordnance. During the period under review, MINURSO

discovered and marked 260 mines and pieces of unexploded ordnance, and monitored the destruction of 3,693 mines and pieces of unexploded ordnance. Forty disposal operations were monitored west of the berm, all carried out by the Royal Moroccan Army.

### **C. Prisoners of war, other detainees and persons unaccounted for**

10. I am pleased to report that on 18 August, with the mediation of the United States of America, the Frente Polisario released the remaining 404 Moroccan prisoners of war, thus bringing to a conclusion one of the most painful chapters of the conflict. The prisoners were repatriated to Morocco under the auspices of the International Committee of the Red Cross (ICRC), which will continue to work with the parties in accounting for those who are still missing in relation to the conflict.

### **D. Assistance to Western Saharan refugees**

11. During the reporting period, the World Food Programme (WFP) and the Office of the United Nations High Commissioner for Refugees (UNHCR) increased their monitoring activity, including the conduct of regular field visits to all the Tindouf area refugee camps. In a joint decision by UNHCR and WFP, which was subsequently communicated to the Frente Polisario and to Algeria as the country of asylum, the number of assisted beneficiaries was reduced from 158,000 to 90,000 as at 1 September, targeting assistance to the most vulnerable members of the camp population. Both WFP and UNHCR will use this number for planning purposes until a comprehensive registration exercise of the refugee populations can be carried out.

12. While available food supplies should ensure the provision of assistance to the beneficiaries in the camps until the end of the year, the results of a nutrition survey conducted by WFP in early 2005 showed an increase in anaemia among women and children since 2002. This could be the result of a lack of animal proteins, fresh fruits and vegetables and fortified foods in the daily rations provided to the refugees. Chronic malnutrition in the refugee camps is a major health issue and UNHCR and WFP intend to take corrective measures, including supplementary feeding of the vulnerable groups. While donor support for humanitarian programmes has increased to over \$5 million in 2005, additional international assistance will be required to provide complementary food to improve the health status of the refugees.

13. From 13 to 17 September, WFP, in collaboration with UNHCR, carried out a midterm review of its feeding programme in the Tindouf area refugee camps, in which the Government of the United States and the European Commission Humanitarian Aid Office participated as observers. In addition, a briefing chaired by WFP and UNHCR was arranged in Algiers on 20 September to apprise donors of the situation.

### **E. Confidence-building measures**

14. Regrettably, the exchange of family visits between the Territory and the refugee camps in the Tindouf area did not resume during the reporting period. It should be recalled that both the Frente Polisario and Algeria, as country of asylum,

approved a plan of action for the implementation of the 2005 phase of the confidence-building measures, which had been submitted by UNHCR, in consultation with MINURSO, in early January.

15. While reiterating its commitment to the confidence-building measures, the Government of Morocco suggested some amendments to the action plan. The amendments were discussed at a meeting with UNHCR and MINURSO in Geneva on 22 June, and were the subject of written exchanges between UNHCR and the Government of Morocco. I am pleased to report that following my Special Representative's visit to Rabat in September, the Government indicated its intention to accept the plan of action. The approval of the resumption of the family visits was confirmed by the Moroccan delegation to the Executive Committee of the UNHCR Programme in early October, paving the way for the continuation of this important humanitarian programme. The visits are expected to resume in early November.

16. Thus far, of the estimated \$3.1 million required for the 2005 programme, \$2.1 million has been provided by Finland, France, Ireland, Sweden and the United States. At the same time, the telephone services that were established between the camps in Tindouf and the Territory continue to function effectively. To date, 32,777 persons have benefited from this service.

#### **F. Illegal migration**

17. During the reporting period, the group of 46 illegal migrants from Bangladesh referred to in my previous report (S/2005/254, para. 10) continued to be provided with shelter in Tifariti under the care of the Frente Polisario. The International Organization for Migration is taking steps for their repatriation.

18. While MINURSO has thus far contributed to repatriation operations, the Mission's capacity to assist stranded migrants is limited. MINURSO will continue to coordinate with humanitarian agencies, as needed, and will extend some logistical support for repatriation operations on a humanitarian basis, subject to resource availability and provided that it does not affect the discharge of its core mandate.

#### **G. Restructuring of the Mission**

19. An overall review of the civilian and military structures of MINURSO was conducted during the reporting period. The review was aimed at enhancing operational effectiveness and bringing the Mission in line with current peacekeeping practices, in order to better respond to the evolving situation on the ground. The resulting restructuring of the Mission's components, described in paragraphs 20 and 21 below, is under way and I expect to report on progress achieved in my next report.

20. In June, a United Nations military operational audit team led by retired Major General Robert Gordon (United Kingdom) visited MINURSO. Following the visit, the Department of Peacekeeping Operations, in consultation with MINURSO, developed recommendations for the restructuring of the military component. The recommendations, on which the parties and troop-contributing countries have been consulted, are aimed at strengthening, within existing resources, the military component's capacity to monitor the ceasefire and military agreements. The

restructuring exercise, which began in September, includes the closure of the two sector headquarters and restructuring of the force headquarters, including the establishment of a civilian-military joint mission analysis cell and a joint operations centre to enhance data collection and information management. The closure of the two sector headquarters will enable MINURSO to increase the number of military observers deployed to the nine military observer team sites. The introduction of night observation patrols and temporary observation posts through the provision of night vision equipment is also envisaged. A new concept of operations reflecting the above changes came into effect on 1 October.

21. The comprehensive review of the structure of the administrative and other civilian components was also completed during the reporting period, taking into account the mandate of the Mission, the political and operational environment and a comparative analysis with other peacekeeping missions of a similar size. On the basis of the initial review carried out by MINURSO, a personnel review team, and subsequently a management assessment team from the Department of Peacekeeping Operations, were deployed to finalize recommendations aimed at reconfiguring the civilian structure to better support the current mandated activities, ensure greater integration between the military and civilian components and enhance the management of MINURSO. The outcome of this review includes recommendations on a reduction by 57 posts (47 international and 10 local), to be offset by an increase of 18 posts (international) and the creation of 24 United Nations Volunteer posts. The recommendations will be implemented in a phased manner and are expected to be completed by mid-2006.

#### **IV. African Union**

22. During the reporting period, the observer delegation of the African Union to MINURSO, led by its Senior Representative, Yilma Tadesse (Ethiopia), continued to provide valuable support and cooperation to the Mission. I wish to reiterate my appreciation for the African Union's contribution.

#### **V. Financial aspects**

23. The General Assembly, by its resolution 59/308, appropriated the gross amount of \$47.9 million for the maintenance of MINURSO for the financial period from 1 July 2005 to 30 June 2006. Therefore, should the Security Council approve my recommendation, set out in paragraph 28 below, to extend the mandate of MINURSO, the cost of the operation and maintenance of the Mission during the extension period will be limited to resources approved by the General Assembly. As at 31 August 2005, unpaid assessed contributions to the special account for MINURSO amounted to \$51.8 million. The total outstanding assessed contributions for all peacekeeping operations at that date amounted to \$2,185.2 million.

#### **VI. Observations and recommendations**

24. Regrettably, the positions of the parties with regard to a settlement remained far apart during the reporting period. The lack of progress was compounded by the overall tense political climate in the region. In addition to harsh public statements

emanating periodically from the parties, demonstrations and allegations of human rights abuses in the Territory suggest that the situation could deteriorate further in the absence of a mutually acceptable solution that would provide for the self-determination of the people of Western Sahara. I remain committed to helping the parties to reach such a solution, but it is up to them to take strategic decisions that would define, *inter alia*, the role that the United Nations could play to assist them in overcoming their differences. I urge them, after years of stalemate, to demonstrate the necessary flexibility and to cooperate in good faith with my new Personal Envoy. In the same vein, I call on neighbouring States and international partners to provide all necessary support to my Personal Envoy's mission. In the meantime, it is of paramount importance that all concerned stop all inflammatory statements and refrain from taking any action which could further complicate the search for a solution or cause additional friction.

25. Violations by the parties of military agreement No. 1 continue to be a matter of serious concern. While the measures described in this report are expected to enhance the Mission's capability to monitor compliance with the agreement, it remains the responsibility of the parties to ensure that violations are not committed by their military/security forces. In this regard, an understanding has been reached with the parties on the possibility of reviewing the military agreements in order to better respond to the realities on the ground. However, any changes to the agreements would have to be mutually acceptable and remain consistent with the principle that military forces should maintain the status quo during the ceasefire and that MINURSO military observers should be allowed to exercise full freedom of movement, in accordance with basic peacekeeping principles. MINURSO has also been instructed to propose to the parties the establishment of a joint military verification commission, which would include their representatives and MINURSO, to allow for the exchange of information and transparency in the implementation of the ceasefire. I hope to be able to include information on progress achieved on both issues in my next report to the Security Council.

26. I welcome the release by the Frente Polisario of the remaining 404 Moroccan prisoners of war, some of whom had been in captivity for over 20 years. I hope that this positive step will help to create an atmosphere conducive to ending the current impasse and paving the way for the long-awaited progress towards a just, lasting and mutually acceptable political solution to the conflict. At the same time, I reiterate my appeal to both parties to cooperate fully with ICRC in accounting for those who are still missing in relation to the conflict.

27. Despite the delays, I am encouraged that all concerned have now agreed to the resumption of the exchange of family visits, thereby allowing thousands of individuals in the Territory and the camps in the Tindouf area to benefit from this humanitarian programme. I also look forward to the implementation, as soon as possible, of the other basic confidence-building measures, particularly the mail service and the organization of seminars involving members of civil society in both the Territory and the refugee camps in the Tindouf area.

28. In view of the prevailing situation, I believe that MINURSO continues to play an important stabilizing and ceasefire monitoring role on the ground and would like to recommend that its mandate be extended for a further period of six months, until 30 April 2006. Should the Council extend the mandate, I intend to continue the

review process to ensure that the Mission has the resources it needs to effectively carry out its tasks.

29. I am concerned by the allegations of human rights abuses made by the parties, whether in the Territory or in the Tindouf area refugee camps. While MINURSO has neither the mandate nor the resources to address this issue, the United Nations, as an organization, is dedicated to upholding international human rights standards. It is in this context that the High Commissioner for Human Rights intends to approach the parties and Algeria, as the country of asylum, with a view to exploring what action may be needed in this regard. I urge them to extend full cooperation to the Office of the High Commissioner for Human Rights.

30. In conclusion, I would like to express my appreciation to the men and women of MINURSO, who, under the leadership of my Special Representative, Francesco Bastagli, continue to discharge the Mission's mandate with competence and dedication.

## Annex

### United Nations Mission for the Referendum in Western Sahara: contributions as at 14 October 2005

| <i>Country</i>     | <i>Military observers<sup>a</sup></i> | <i>Troops<sup>a</sup></i> | <i>Civilian police<sup>b</sup></i> | <i>Total</i> |
|--------------------|---------------------------------------|---------------------------|------------------------------------|--------------|
| Argentina          | 1                                     |                           |                                    | 1            |
| Austria            | 2                                     |                           |                                    | 2            |
| Bangladesh         | 8                                     |                           |                                    | 8            |
| China              | 19                                    |                           |                                    | 19           |
| Croatia            | 2                                     |                           |                                    | 2            |
| Denmark            |                                       | 1                         |                                    | 1            |
| Egypt              | 19                                    |                           | 4                                  | 23           |
| El Salvador        | 5                                     |                           | 2                                  | 7            |
| France             | 25                                    |                           |                                    | 25           |
| Ghana              | 10                                    | 7                         |                                    | 17           |
| Greece             | 1                                     |                           |                                    | 1            |
| Guinea             | 5                                     |                           |                                    | 5            |
| Honduras           | 12                                    |                           |                                    | 12           |
| Hungary            | 7                                     |                           |                                    | 7            |
| Ireland            | 4                                     |                           |                                    | 4            |
| Italy              | 5                                     |                           |                                    | 5            |
| Kenya              | 9                                     |                           |                                    | 9            |
| Malaysia           | 13                                    |                           |                                    | 13           |
| Mongolia           | 3                                     |                           |                                    | 3            |
| Nigeria            | 7                                     |                           |                                    | 7            |
| Pakistan           | 7                                     |                           |                                    | 7            |
| Poland             | 1                                     |                           |                                    | 1            |
| Republic of Korea  |                                       | 19                        |                                    | 19           |
| Russian Federation | 25                                    |                           |                                    | 25           |
| Sri Lanka          | 2                                     |                           |                                    | 2            |
| Uruguay            | 8                                     |                           |                                    | 8            |
| <b>Total</b>       | <b>200</b>                            | <b>27</b>                 | <b>6</b>                           | <b>233</b>   |

<sup>a</sup> Authorized strength of military personnel is 231.

<sup>b</sup> Authorized strength is 81.





## Security Council

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### Draft resolution

*The Security Council,*

*Recalling* Chapter VIII of the Charter of the United Nations,

*Reaffirming* its previous relevant resolutions and presidential statements,

*Welcoming* the adoption of the 2005 World Summit Outcome (A/RES/60/1),

*Recalling* its invitation of January 1993 to regional organizations to improve coordination with the United Nations, the Declaration of the General Assembly of December 1994 on the enhancement of cooperation between the United Nations and regional arrangements or agencies (A/RES/49/57), its meeting on "The Security Council and Regional Organizations: Facing the New Challenges to international Peace and Security", held on 11 April 2003 under the Mexican presidency, and its debate on "Cooperation between the United Nations and regional organizations in stabilization processes", held on 20 July 2004 under the Romanian presidency,

*Welcoming* the Conclusions of the Chairman of the Sixth High-Level Meeting between the United Nations and Regional and other Intergovernmental Organizations (25-26 July 2005),

*Reiterating* its primary responsibility for the maintenance of international peace and security,

*Emphasizing* that the growing contribution made by regional organizations in cooperation with the United Nations can usefully complement the work of the organization in maintaining international peace and security, and *stressing* in this regard that such contribution must be made in accordance with Chapter VIII of the United Nations Charter,

*Recognizing* the necessity to support capacity-building and cooperation at regional and subregional level in maintaining international peace and security, and noting in particular the importance of strengthening the capacity of African regional and subregional organizations,

*Acknowledging* the resolve of Heads of State and Government of the 2005 World Summit to expand, as appropriate, the involvement of regional organizations in the work of the Security Council, and to ensure that regional organizations that have a capacity for the prevention of armed conflict or peacekeeping consider the option of placing such capacity in the framework of the United Nations Standby Arrangements System,



*Welcoming the decision in the World Summit Outcome to establish a Peacebuilding Commission, and looking forward to it as an important opportunity for cooperation and close contact with regional and subregional organizations in post-conflict peacebuilding and recovery,*

1. *Expresses its determination to take appropriate steps to the further development of cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security, consistent with Chapter VIII of the United Nations Charter, and invites regional and subregional organizations that have a capacity for conflict prevention or peacekeeping to place such capacities in the framework of the United Nations Standby Arrangements System;*

2. *Urges all States and relevant international organizations to contribute to strengthening the capacity of regional and subregional organizations, in particular of African regional and subregional organizations, in conflict prevention and crisis management, and in post-conflict stabilization, including through the provision of human, technical and financial assistance, and welcomes in this regard the establishment by the European Union of the Peace Facility for Africa;*

3. *Stresses the importance for the United Nations of developing regional and subregional organizations' ability to deploy peacekeeping forces rapidly in support of United Nations peacekeeping operations or other Security Council-mandated operations, and welcomes relevant initiatives taken in this regard;*

4. *Stresses the potential role of regional and subregional organizations in addressing the illicit trade in small arms and light weapons and the need to take into account in the peacekeeping operations' mandates, where appropriate, the regional instruments enabling states to identify and trace illegal small arms and light weapons;*

5. *Reiterates the need to encourage regional cooperation, including through the involvement of regional and subregional organizations in the peaceful settlement of disputes, and to include, where appropriate, specific provisions to this aim in future mandates of peacekeeping and peacebuilding operations authorized by the Security Council;*

6. *Welcomes the efforts undertaken by its subsidiary bodies with responsibilities in counter-terrorism to foster cooperation with regional and subregional organizations, notes with appreciation the efforts made by an increasing number of regional and subregional organizations in the fight against terrorism and urges all relevant regional and subregional organizations to enhance the effectiveness of their counter-terrorism efforts within their respective mandates, including with a view to develop their capacity to help Member States in their efforts to tackle the threats to international peace and security posed by acts of terrorism;*

7. *Expresses its intention to hold regular meetings as appropriate with heads of regional and subregional organizations in order to strengthen the interaction and cooperation with these organizations in maintaining international peace and security, ensuring if possible that such meetings coincide with the annual high-level meetings held by the United Nations with regional and other intergovernmental organizations for better efficiency of participation and substantive complementarity of agendas;*

8. *Recommends* better communication between the United Nations and regional and subregional organizations through, notably, liaison officers and holding of consultations at all appropriate levels;

9. *Reiterates* the obligation for regional organizations, under article 54 of the Charter, to keep the Security Council fully informed of their activities for the maintenance of international peace and security;

10. *Invites* the Secretary-General to submit a report to the Security Council on the opportunities and challenges facing the cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security, *and encourages* the Secretary-General to explore with regional organizations the possibility of agreements establishing a framework for regional organizations' cooperation with and contributions to United Nations-led peacekeeping operations, taking into due consideration the cooperation guidelines already identified between the UN and certain regional organizations;

11. *Requests* the Secretary-General, where appropriate, to include in his regular reporting to the Security Council on peacekeeping and peacebuilding operations under its mandate, assessments of progress on the cooperation between the United Nations and regional and subregional organizations;

12. *Decides* to remain seized of the matter.

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**Monthly report of the Secretary-General on Darfur****I. Introduction**

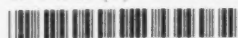
1. The present report is submitted pursuant to paragraphs 6, 13 and 16 of Security Council resolution 1556 (2004), paragraph 15 of Council resolution 1564 (2004), paragraph 17 of Council resolution 1574 (2004) and paragraph 12 of Council resolution 1590 (2005).

**II. Insecurity in Darfur**

2. The month of September witnessed an alarming deterioration in the security situation in all three Darfur states. During the reporting period, the frequency and intensity of the violence committed by the Sudanese Armed Forces and the Popular Defence Forces, Government-aligned tribal militia and the armed movements — including in particular the Sudan Liberation Movement/Army (SLM/A) — reached levels unseen since January 2005.

3. During September there were numerous violent incidents initiated either by the Sudanese Armed Forces, the Popular Defence Forces and tribal militias, or SLM/A in both Northern and Southern Darfur. In Northern Darfur, tribal militia struck villages in a number of locations, including in Shangil Tobayi area, Um Maharek (a village in a part of Northern Darfur that had been relatively quiet for almost a year) and also an area south of Tawilla town. In Southern Darfur, one of the more devastating clashes occurred on 19 September when SLM/A attacked positions of the Sudanese Armed Forces in and around the village of Shaeria. The attack forced many civilians to seek shelter outside the town, the Sudanese Armed Forces suffered dozens of casualties and SLM/A made off with quantities of arms, munitions, fuel and other supplies. On 29 September, there was another attack on Tawilla town itself, when Government police and Sudanese Armed Forces units entered the town and, later, the adjacent Dali camp for internally displaced persons, firing at civilians indiscriminately and without provocation.

4. The security situation in Western Darfur worsened dramatically as well. Banditry and hijacking along roads from Geneina reached such dire levels during the month of September that all roads leading south, west and east from the town are now either "off-limits" for United Nations staff and critical movements can proceed only with authorized armed escorts. This has had a pronounced effect on the delivery of humanitarian aid to the area. There are many indications that local



authorities are increasingly unwilling or incapable of controlling the tribal militia and armed gangs operating in the area. The tenuous position of law enforcement officials in the state was underscored a number of times in September when the authority of the police was challenged by armed gangs or militia members. The police do not appear to have the capacity to enforce laws when a case involves large armed groups or militia.

5. Banditry and lawlessness were the primary cause of insecurity in Western Darfur during September. However, and as was the case in Northern and Southern Darfur, there was also politically motivated violence in the west of the region. The largest and deadliest of these incidents was the unprovoked attack by tribal militia on the Aro Sharow internally displaced person camp and the villages of Gosmino and Ardja in the Kulbus area of Western Darfur near the border with Chad, which took place on 28 September. The latest information available indicates that 35 internally displaced persons were killed and 10 wounded in the violence, and over 4,000 internally displaced persons and villagers were forced to flee. Government forces intervened late in the course of events by firing from inside their own camp, but their efforts came too late and were inadequate to save lives or property. Beyond its immediate consequences, the attack on Aro Sharow and nearby villages is a grave source of concern because it may signal the start of deliberate targeting of internally displaced person populations by militia and the inability, or unwillingness, of Government forces to provide effective protection for the camps and villages where the internally displaced persons reside.

6. The volatile security situation during September also took a toll on international personnel working in Darfur. Humanitarian aid workers were harassed and assaulted frequently during banditry incidents. It has become clear that those perpetrating these attacks are assaulting both national and international aid workers with increasing cruelty and violence. Armed international personnel were not immune to the violence either, as three force protection soldiers of the African Union Mission in the Sudan (AMIS) were wounded in September while conducting patrols. In all cases, the AMIS soldiers were the deliberate targets of gunfire from unknown assailants.

7. The Government's record during the reporting period is troubling because of the evidence that its forces triggered some of the incidents, and because there are clear indications that, in many cases, the tribal militia operated with enabling support from the Government. These attacks were confirmed by the Head of AMIS, Baba Gana Kingibe, who announced in a press conference on 1 October that the Sudanese Armed Forces had conducted "coordinated offensive operations" with tribal militia on four occasions since 18 September. This assessment is corroborated by evidence gathered from survivors of the militia attacks on villages.

8. The SLM/A and the tribal militia must also share some responsibility for the deterioration in security, insofar as these groups instigated a significant number of attacks. The irresponsible looting of large numbers of cattle during the seasonal movement of livestock to the south has also played a major role in the escalation of violence, provoking cruel retaliations, often against innocent people.

9. Both the Government and SLM/A have demonstrated a clear disregard for the commitments they undertook in the Ceasefire Agreement of April 2004, the Humanitarian and Security Protocols of November 2004 and the Declaration of Principles for the Resolution of the Sudanese Conflict in Darfur of 5 July 2005. The

Government's continued support to and cooperation with tribal militia also illustrated clear disregard for Security Council resolutions and obligations to disarm, demobilize and bring to justice the very same militia. For its part, SML/A, or at least some groups of the armed movement, clearly chose to increase their military campaign at a time when talks on Darfur opened at Abuja, risking the progress in the talks.

### III. Protection

10. Many internally displaced persons who returned to their villages of origin have been displaced again and forced to seek refuge in camps as a result of deliberate attacks on villages by militia. September's fresh violence directed against the civilian population caused tens of thousands of civilians to be displaced. Even as these new displacements occur the Government is not responding with sufficient determination to protect the rights of those internally displaced persons who returned to their land for the agricultural season and found their property occupied by nomads. There are still many reports of people who have been assaulted who do not want to go to the police, either because they have had the experience that this does not serve any purpose, or out of fear of reprisals.

11. In another disturbing development, reports during the month of September showed an increase in the number of attacks on women in and outside the camps. In Kalma camp, Southern Darfur, around 60 attacks on women were reported in one week alone. Rape cases also continued in Western Darfur. In addition, girls under 18 years of age are overrepresented in reports of sexual violence. A study by the Office of the United Nations High Commissioner for Human Rights in July 2005, which was based on 230 sexual and gender-based violence reports, found that 30 per cent of the victims were girls under 18; other studies show even higher prevalence rates. A study by the United Nations Population Fund (UNFPA)/United Nations Children's Fund (UNICEF) released in September underlined the detrimental affects on the girls' health and their marriage prospects. Many girls have given birth as a result of rape. Although local communities are trying to accept the offspring, the children face a great deal of stigmatization. I am deeply concerned that the practice of sexual violence against children will undermine the prospect of peaceful coexistence in Darfur for years to come.

12. The commercial blockade of Kalma camp by the Government, following the 20 May riots, is still ongoing. In addition to the increased tensions in the camp, the blockade is continuing to bring additional hardship for the internally displaced persons, especially given the lack of fresh food commodities and the missed economic opportunities. My representatives and others have repeatedly sought the removal of the ban but it has remained in place for four months, with the expected negative effects on the camp population.

13. Reports of children being abducted during the recent attacks on civilian populations demonstrate the horrible price being paid by the children of Darfur in this civil war. Using children for military purposes violates international and Sudanese law and is a war crime that falls within the jurisdiction of the International Criminal Court. I am pleased to report that 513 children in the Jebel Marra region were demobilized in August by SLM/A, with the support of UNICEF. Nevertheless,

I remain deeply concerned that parties, the movements as well as the militia, continue to use children as combatants.

#### **IV. Human rights**

14. Human rights officers from the United Nations Mission in the Sudan (UNMIS) have continued to document cases of killings of civilians, as well as torture and sexual and gender-based violence, during attacks. For example, on 9 September, in Tawilla, Northern Darfur, Government forces responded to a grenade incident in an indiscriminate and disproportionate manner, leaving at least 5 civilians killed and 29 injured, 30 houses and stores burnt and 30 families displaced. I am very concerned that if the situation in Darfur deteriorates further, the number of human rights violations will increase.

15. Since its establishment in June 2005, the Special Criminal Court on the Events in Darfur has pronounced verdicts in five cases. Presently there is only one case before the Court, which involves an appeal. I urge the Government and all relevant actors to support the work and independence of the Court so that it may address violations of human rights and humanitarian law in a more comprehensive manner. The effective functioning of the court is a prerequisite for reversing the climate of impunity that persists in Darfur.

16. On a more positive note, the Joint Implementation Mechanism Subcommittee on protection and human rights met on 18 September. Agreement was reached on form 8, the mechanism for recording medical evidence from victims of rape, to ensure access to medical care for victims of sexual violence and to end the harassment of medical providers to victims of sexual and gender-based violence. The Government also further outlined the content of its plan of action to eliminate violence against women in Darfur. I welcome these steps and urge the Government to implement these positive commitments as soon as possible.

17. At the meeting of the Subcommittee, the Government also stated that the United Nations had been given access to all places of detention in Darfur, including access to persons detained by national security and military intelligence. In Southern Darfur, human rights officers were permitted to visit the Kuria prison in Nyala, were granted access to all cells in the prison and were allowed to interview a number of prisoners in private. However, in Western Darfur, Government military intelligence officials have informed human rights officers that instructions had been issued to refuse access to military barracks, including detention facilities, by all foreigners. I urge the Government to ensure United Nations personnel access to all places of detentions in Darfur.

#### **V. Humanitarian situation**

18. The number of people affected by the conflict has stabilized. On 1 September, some 3.3 million Darfurians were in need of humanitarian assistance, with resident populations constituting 45 per cent of all affected people in Darfur. The number of internally displaced persons among them is currently 1.8 million.

19. The overall humanitarian situation in Darfur continues to improve, despite continuous insecurity and new population displacements in September. The number

of admissions to therapeutic and supplementary feeding centres is slowly declining, although malnutrition rates in some locations remain high. Epidemics have been avoided by a coordinated preparedness and efficient intervention of the humanitarian community. In Mukjar (Western Darfur), the recent spread of a hepatitis E outbreak was quickly stemmed. Provision of food assistance has also kept pace with the needs of the affected populations. In August, the World Food Programme (WFP) and the International Committee of the Red Cross (ICRC) distributed over 47,500 metric tons of food to 2.6 million people in over 300 locations, despite the heavy rains, which have made road access to some areas more problematic. These statistics reflect a significant increase in the total number of recipients of humanitarian assistance from January to August 2005, as joint interventions by the United Nations and non-governmental organizations are increasingly and consistently supporting vulnerable communities in remote areas and are encompassing recovery strategies. The violence of the past month seriously threatens these positive developments.

20. Relief activities were greatly hindered by a steady increase in banditry along Darfur's main roads, which has limited access of humanitarian staff and goods to some affected populations. For instance, to travel the "off-limits" roads around Geneina, humanitarian traffic required an AMIS escort. To alleviate this problem, an UNMIS helicopter assisted with the transportation of supplies and staff to and from locations south and south-east of Geneina. Insecurity has had a particularly negative impact on humanitarian access in Southern Darfur, where less than two thirds of the affected population is accessible.

21. In one positive development, the deadlock in the Geneina camps, town and surrounding villages, where corrupt internally displaced person leaders had misappropriated humanitarian assistance for many months, has been resolved with the assistance of the Government. Reregistration was undertaken and successfully completed by September in most internally displaced person settlements. A handful of camps, however, still require a reregistration process. Notable among these are Kalma camp and Al Battery camp (Kass), both in Southern Darfur, and Ardamata camp in Western Darfur.

## **VI. Darfur peace process**

22. As I indicated in my previous report (S/2005/592, para. 20), the African Union (AU) Chief Mediator, Salim Ahmed Salim, held meetings with the parties to the Darfur peace talks in Dar es Salaam and with UNMIS in Khartoum at the end of August. During his recent visit to the Sudan Mr. Salim consulted with the parties on the next round of talks. In particular, he travelled to Darfur, where he impressed upon the Secretary-General of SLM/A, Mini Arkoy Minawi, the importance of his presence in Abuja.

23. The sixth round of talks on Darfur opened on 15 September at Abuja with a week of well-attended technical workshops on power-sharing, wealth-sharing and security. Several international resource persons, including from the United Nations, actively participated in the workshops.

24. At the request of AU, the United Nations provided air transportation to the talks for some delegates from the Justice and Equality Movement (JEM) and SLM/A, including a group of commanders from SLA. Nevertheless, the talks

opened with an air of uncertainty regarding the cohesion of the SLM/A delegation and the degree to which the faction of SLM/A Secretary-General Mini Arkoy Minawi was participating.

25. The conduct of workshops was affected by reports of a Government attack on SLM/A positions in Jebel Marra and near Al Fasher around 19 September. The violence that broke out on 19 September in Shaeria also had a negative affect on the talks. Nonetheless, at the urging of the AU mediator and international partners, all the parties continued to attend the workshops until their conclusion.

26. The parties called for a meeting of the Joint Commission to investigate the above attacks. The Commission had previously attempted to meet on 8 and 9 September in N'djamena, but neither JEM nor SLM/A sent representatives, claiming that the Government of Chad was "not neutral" in the peace process. However, on 24 September, a delegation composed of the AU, JEM and Chadian co-mediators travelled to N'djamena to meet President Idriss Déby. Following the discussions, Chad and JEM reaffirmed Chad's role as a neutral and impartial co-mediator in the peace process, agreed to refrain from all actions capable of undermining the process and also agreed to cooperate with a view to settling current and future problems through dialogue.

27. However, negotiations had not begun by the end of September. Internal division within the SLM paralysed the talks for one week, during which discussions were limited to procedural rather than substantive matters. Neither SLM faction seemed to be willing to negotiate substance, despite urgent appeals to do so by the AU mediator and representatives of the international community. When substantive talks start they are expected to focus on power-sharing, wealth-sharing and security. The current round of talks is scheduled to be completed by about 20 October and to resume in mid-November after the Eid celebrations.

28. My Special Representative, Jan Pronk, and senior personnel from UNMIS will continue to support AU in its mediation efforts as the talks progress.

## **VII. United Nations support to the African Union Mission in the Sudan**

29. The deployment of AMIS personnel recommenced on 19 September, after a three-week pause brought about by local shortages of jet fuel for the Mission. At the end of the reporting period AMIS comprised a protection force of 4,100 troops, 634 military observers, 862 police officers as well international civilian staff. The expansion of AMIS to its fully authorised strength of 6,171 military personnel and 1,586 police officers is expected to be completed by the end of October. I continue to be seriously concerned that, despite donor generosity to date, AMIS is not receiving the support, particularly the cash funding, required for it to carry out its mandate effectively. AMIS continues to play a vital role in improving the security situation in Darfur and must receive international support to continue doing so, particularly with the security situation in the region taking a turn for the worse.

30. At the same time, I fully support the AU plans to lead an assessment mission in November to examine future peacekeeping requirements for the region. The United Nations will participate fully in the assessment, along with the other partners of AU in Darfur.

31. Collaboration between AMIS and UNMIS continues. During the reporting period, UNMIS, through the United Nations Assistance Cell to the African Union at AU headquarters, undertook intensive consultations with the AU Commission regarding proposals for United Nations assistance to AU in the procurement and management of aviation and ground fuel. It is expected that UNMIS will be able to facilitate AMIS efforts in this area beginning in early 2006. In addition, following the attack on the Aro Sharow internally displaced person camp, AMIS and UNMIS cooperated fully in the first stage of implementation of an agreement between the two Missions that provides for UNMIS human rights observers to be escorted by AMIS protection forces to scenes of possible human rights abuses. With the help of AMIS personnel, UNMIS was able to access the area more quickly and thereby gather more first-hand information than would normally be the case.

## VIII. Observations

32. The resurgence of violence in Darfur is a source of serious concern and may threaten the success of peace talks in Abuja; it also lays bare a number of truths that the parties and the international community must confront. First, events in September demonstrate the Government's continued unwillingness or inability to restrain the armed tribal militia, to say nothing of disarming them. Without immediate and concrete action on this front, it is difficult to imagine any negotiated settlement having relevance on the ground. The involvement of Government forces in some of the attacks is an extremely negative development. Second, the fighting and resultant reactions to it reveal the growing divide within SLM/A. It is already clear that this divide could be an obstacle at the negotiating table. Finally, it is clear that AMIS will require additional assistance from the international community to accelerate its much needed expansion plans. To reach its full potential as a deterrent to the kind of hostilities recorded in September, AMIS must achieve full deployment, in terms of both personnel and equipment, as soon as possible.

33. So long as the above factors are ignored, the consequences for the civilians caught in the middle of the conflict will remain catastrophic. The recent brutal wave of violence makes real and lasting improvements to the humanitarian situation impossible and has forced many returnees back to the camps they had left just weeks before. This tragic reversal of fortune must not stand.

34. The plight of civilians seriously worsened during September as a direct result of disregard, by the parties, for the agreements and protocols that they have already concluded. There is also increasing evidence in Darfur of gross violations of human rights and humanitarian law. Positive trends in previous months, with regard to respect for human rights have been badly undermined.

35. I consider this especially worrying because the adoption of the new constitution and the inauguration of a Government of National Unity has raised expectations concerning radical change for the better in the Sudan, including in Darfur. While fundamental improvements may take time, the reversal of the situation in Darfur and what seems to be a lack of urgency among authorities to address this reversal are not acceptable.

36. I urge the leaders of the rebel movements to definitively choose the road of peace and negotiations rather than that of combat, and to demonstrate a serious interest in substantive peace talks rather than in internal, and selfish, debates

concerning representation and procedures. The movements should clearly show the Sudanese and the international community that their main, and only, preoccupation is the improvement of the life of the people they claim to represent.

37. The international community must put decisive and concerted pressure on the parties to achieve the above objectives. Every effort must be made to halt the violence on the ground, and above all, violence that targets civilians. In addition, those members of the international community with the means and opportunity to influence the posture of the parties, including SLM/A, must try to steer the current round of talks in Abuja towards a positive outcome. This is a crucial moment for Darfur, and no time should be lost.

38. Because of the urgency of the present situation, the international community's efforts must be immediate, coordinated and determined. I reiterate the commitment of the United Nations to do everything possible to help the parties reach a peace agreement before the end of 2005 and to open a new chapter in the history of this long-suffering nation.





## Security Council

Distr.: General  
14 October 2005

Original: English

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### Letter dated 14 October 2005 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General

I have the honour to forward herewith a letter from Fuad Siniora, Prime Minister of Lebanon, addressed to you, concerning the request of the Government of Lebanon to extend the mandate of the United Nations International Independent Investigation Commission on the assassination of the late Prime Minister Rafiq Hariri until mid-December 2005, as indicated in Security Council resolution 1595 (2005) (see annex).

I would be grateful if you would arrange for the present letter and its annex to be circulated as a document of the Security Council.

(Signed) Ibrahim Assaf  
Chargé d'affaires a.i.



**Annex to the letter dated 14 October 2005 from the Chargé  
d'affaires a.i. of the Permanent Mission of Lebanon to the  
United Nations to the Secretary-General**

I would like to refer to Security Council resolution 1595 (2005), the letter of 29 March 2005 (A/59/757-S/2005/208) wherein the Government of Lebanon agreed to the establishment of the United Nations Independent Investigation Commission on the crime against the late Prime Minister Rafiq Hariri and your letter of 9 September 2005 (S/2005/587) informing the President of the Security Council of the extension of the Commission's mandate for a period of 40 days.

With reference to our telephone conversation of last week and in line with the provisions in paragraphs 2 and 8 of resolution 1595 (2005), I would hereby like to convey to you the request of the Government of Lebanon to extend the mandate of the said Commission until mid-December 2005, as indicated in the above-mentioned resolution. This extension will enable the Commission to assist the competent Lebanese authorities in any further investigation of the various dimensions of the terrorist crime of 14 February 2005, based on the report of Judge Detlev Mehlis, and exploring possible follow-up measures to the findings and recommendations of this report in order to bring the perpetrators of the crime to justice.

I would like to seize this opportunity to thank you for the professional work the Commission has been doing in Lebanon, and to commend the efforts of Judge Mehlis in that regard. The Government of Lebanon remains committed, in line with paragraph 3 of the above-mentioned resolution, to continue to extend its full cooperation in the discharge of the duties of the Commission according to the arrangements and modalities that you deem fit.

*(Signed)* Fuad Siniora



Original: English

(Signed) Kofi A. Annan

## Annex

### **Letter dated 13 October 2005 from the Director General of the International Atomic Energy Agency addressed to the President of the Security Council**

In paragraph 16 of Security Council resolution 1051 (1996), the Director General of the International Atomic Energy Agency (IAEA) was requested to submit consolidated progress reports every six months to the Council, commencing on 11 April 1996, on the verification activities of IAEA in Iraq pursuant to paragraphs 12 and 13 of Security Council resolution 687 (1991) and related resolutions.

Since 17 March 2003, IAEA has not been in a position to implement its mandate in Iraq under Security Council resolution 687 (1991) and related resolutions.

Pursuant to the Safeguards Agreement between Iraq and the Agency in connection with the Treaty on the Non-Proliferation of Nuclear Weapons, on 17 and 18 September 2005 IAEA carried out its annual physical inventory verification of the nuclear material in Iraq located at the storage facility near the Tuwaitha complex south of Baghdad. The Agency inspectors were able to verify all nuclear material subject to safeguards.

The number of staff of the Iraq Nuclear Verification Office has been minimized to reflect the current level of activities being implemented pursuant to the relevant Security Council resolutions. As a result the overall cost of maintaining that Office has been substantially reduced while maintaining the Agency's continuity of knowledge and flexibility.

During the period covered by this report, the Iraq Nuclear Verification Office has focused on the further development of an archive system for the storage and retrieval of electronic and hard-copy information collected and generated by IAEA in the course of its Security Council-mandated activities in Iraq. Satellite imagery of the most significant sites continues to be collected and assessed.

States are reminded again that items listed in annex 3 of the IAEA ongoing monitoring and verification plan (see S/2001/561) are to be reported to IAEA both by Iraq and by States that either export to or import from Iraq such items, in accordance with the export/import monitoring mechanism approved by the Security Council in resolution 1051 (1996). Pursuant to the ongoing monitoring and verification plan, Iraq is expected to declare semi-annually changes that have occurred or are foreseen at sites deemed relevant by the Agency. During the past six months, no reports have been received by IAEA from Iraq or other States in this regard.

I should be grateful if you would arrange for the present letter to be distributed as a document of the Security Council.

*(Signed)* Mohamed ElBaradei

**Security Council**

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17 October 2005

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**Draft resolution**

*The Security Council,*

*Recalling* its previous resolutions concerning the situation in Côte d'Ivoire, in particular resolutions 1572 (2004) of 15 November 2004, 1584 (2005) of 1 February 2005 and 1609 (2005) of 24 June 2005, and the relevant statements of its President,

*Welcoming* the ongoing efforts of the Secretary-General, the African Union and the Economic Community of Western African States (ECOWAS) towards re-establishing peace and stability in Côte d'Ivoire,

*Recalling* the interim report of the Group of Experts created by the Secretary-General, further to paragraph 7 of resolution 1584 (2005) and anticipating the receipt of its final report,

*Determining* that the situation in Côte d'Ivoire continues to constitute a threat to international peace and security in the region,

*Acting* under Chapter VII of the Charter of the United Nations,

1. *Decides* to extend the mandate of the Group of Experts to 15 December 2005, and requests the Secretary-General to take the necessary administrative measures;
  2. *Requests* the Group of Experts to submit a brief written update to the Council, through the Committee established by paragraph 14 of resolution 1572 (2004), before 1 December 2005, on the implementation of the measures imposed by paragraph 7 of resolution 1572 (2004) and reaffirmed by paragraph 1 of resolution 1584 (2005), with recommendations in this regard;
  3. *Decides* to remain actively seized of the matter.
- 



**General Assembly  
Security Council**Distr.: General  
17 October 2005

Original: English

General Assembly  
Sixtieth session  
Agenda item 19  
Question of CyprusSecurity Council  
Sixtieth year**Letter dated 14 October 2005 from the Permanent Representative  
of Cyprus to the United Nations addressed to the  
Secretary-General**

Upon instructions from my Government, I have the honour to draw your attention to new serious violations of the status quo in Cyprus by the Turkish military forces. These new provocations involve recent violations of the national airspace of the Republic of Cyprus and the flight information region of Nicosia, south of the ceasefire line, and flights of Turkish military aircraft over sensitive military areas of the Republic.

More specifically, on 13 and 14 October 2005, two formations of Turkish military aircrafts (four and six, respectively) violated the national airspace of the Republic of Cyprus and the flight information region of Nicosia, flying perimetrically along the southern coasts of Cyprus, in complete defiance of all international air traffic regulations and in full disrespect of all appeals of the international community to avoid escalation of tension in Cyprus at this particularly crucial juncture.

While violations of the flight information region of Nicosia and the national airspace of the Republic of Cyprus by Turkish military aircraft have regrettably come to be a regular occurrence, the aforementioned violations in the southern part of the country surpass in gravity all previous provocations. Such actions not only significantly jeopardize flight safety but also generate unprecedented strong feelings of insecurity, anxiety and apprehension among civilians.

In the wake of the recent opening of the accession negotiations between Turkey and the European Union, both the Government and the people of Cyprus sincerely believed that Turkey would demonstrate a genuine will to undertake steps towards the reunification of the island and refrain from further undermining peace and stability in the region. It is therefore with great dismay that we realize that Turkey, far from changing its policy of aggression and division, opts to create an atmosphere of intimidation and tension among the people of Cyprus.

In this context, I strongly appeal to you to exert your influence over the Turkish Government with respect to its refraining from actions that aggravate an



already tense situation and also undermine your efforts regarding the reaching of a mutually accepted settlement to the Cyprus issue.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda item 19, and of the Security Council.

(Signed) Andreas D. Mavroyiannis

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**General Assembly  
Security Council**Distr.: General  
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General Assembly  
Sixtieth session  
Agenda items 14 and 108Security Council  
Sixtieth year

The situation in the Middle East

Measures to eliminate international  
terrorism**Identical letters dated 17 October 2005 from the Chargé d'affaires  
a.i. of the Permanent Mission of Israel to the United Nations  
addressed to the Secretary-General and the President of the  
Security Council**

I am writing to draw your attention to another wave of fatal terrorist drive-by shootings perpetrated against Israeli citizens this weekend.

Yesterday, Palestinian terrorists associated with the Al-Aqsa Martyrs' Brigade drove through Gush Etzion junction and opened automatic fire on a group of young Israeli citizens waiting for transportation. The terrorists murdered Kinneret Mandel, a 23-year-old Israeli woman; Matat Adler-Rosenfeld, her 21-year-old newly-wed cousin; and Oz Ben-Meir, a 15-year-old Israeli boy who had just begun high school.

Less than an hour later, Palestinian terrorists again carried out a drive-by shooting, this time at the Eli Junction in Binyamin. In this attack, terrorists fired at Israeli teenagers walking by the roadside, wounding a 14-year-old critically.

These heinous attacks serve as a reminder that terrorism remains the stumbling block to any future peace. Any advancement towards forging a real, lasting peace is inconceivable so long as terrorists are allowed to target Israelis and their children.

Israel calls upon the Palestinian Authority to reaffirm its commitment to fighting and eliminating terrorism and immediately take whatever steps are necessary to achieve those goals. The elimination of terrorism is the first and most fundamental step towards peace. Particularly after new momentum was created by Israel's unilateral disengagement from the Gaza Strip and parts of the West Bank, it is imperative that the Palestinian Authority live up to its commitments.

Furthermore, Israel urges the international community to reiterate its intolerance of terrorism in the strongest terms and to demand from the Palestinian Authority that it take immediate and comprehensive steps to effectively prevent Palestinian terrorism.



I should be grateful if you would arrange to have the text of the present letter circulated as a document of the sixtieth session of the General Assembly under agenda items 14 and 108.

(Signed) Daniel **Carmon**  
Ambassador  
Chargé d'affaires a.i.

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## Security Council

Distr.: General  
17 October 2005

Original: English

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### **Letter dated 17 October 2005 from the Secretary-General addressed to the President of the Security Council**

I write further to my letter of 8 August 2005 to the President of the Security Council and the letter dated 19 August 2005 from the President of the Security Council to me.

I have the honour to inform you that based on the 19 August 2005 letter of the President of the Security Council, I asked that consultations be conducted by the Secretariat with the relevant authorities of the Government of Iraq on the termination of the ongoing operations of the oil-for-food programme. These consultations were undertaken in the context of a full recognition of the need to ensure that ongoing projects initiated under the oil-for-food programme could be brought to a successful conclusion, while at the same time there could be full compliance with the provisions of Security Council resolution 1483 (2003).

The Controller met the relevant authorities of the Government of Iraq in Amman, Jordan on 3 October 2005, bearing in mind the timetable envisaged in my letter of 8 August 2005. Consequently, I am providing in the attached note an update on the situation with respect to the letters of credit and am proposing a possible course of action for the Council's consideration.

*(Signed)* Kofi A. Annan



## **Annex**

### **Note by the Secretary-General on arrangements for terminating the operations relating to the letters of credit raised against the United Nations Iraq Account (Security Council resolution 1483 (2003))**

#### **(Follow-up to the letter dated 19 August 2005 from the President of the Security Council addressed to the Secretary-General)**

1. As I indicated in the annex to my letter of 8 August 2005, funding was retained for 549 letters of credit that were reported by the bank as open. Subsequent to my letter of 8 August 2005, 44 letters of credit have been paid, 17 were reinstated for the purpose of making payments and two were cancelled.
2. As I also indicated in the annex to my letter of 8 August 2005 (para. 5), the slow payment to suppliers is a result of the slow processing of the authentication documents for the arrival of goods in Iraq. The rate of processing has not improved since my last letter to the President of the Council. Neither the United Nations Secretariat nor the bank holding letters of credit can make any payment arrangements in the absence of authentication documents.

#### **Letters of credit that had expired by 31 December 2004**

3. I indicated in paragraph 7 of the annex to my letter of 8 August 2005 that the cash collateral supporting the 249 letters of credit that had expired by 31 December 2004 would continue to be retained in the United Nations Iraq Account until 30 November 2005 to allow payment to be made to vendors should authentication documents be received confirming that the goods were shipped during the validity period of the letter of credit. However, during recent consultations with the relevant authorities, the Government of Iraq asked for an extension of this deadline for receipt of authentication documents to 31 December 2005 so as to allow them additional time for processing.
4. In addition, the relevant authorities have also asked for an extension of the validity period of 46 letters of credit with a total value of \$56 million in order for the buyers in Iraq to obtain all the materials needed to complete projects that are in progress (see table 1). These are cases where partial shipment took place but for which full delivery of the goods is needed to complete the projects — hence the need to extend the shipment dates and the expiry dates of the 46 associated letters of credit until 19 June 2006.
5. Given the limitations on the ground, the urgency of these projects and the current situation in Iraq, in the absence of any objection from the Council, I intend to concur with the above requests.

#### **Letters of credit expiring in 2005**

6. I also indicated in paragraph 8 of the annex to my letter of 8 August 2005 that the United Nations would reinstate or extend the validity period of letters of credit for any of the letters of credit expiring in 2005. They now number 246. I also indicated that letters of credit would be extended for up to 10 months from the current expiry date. Upon further consideration, I have determined that this

10-month period would best start from the date of the authorizing letter from the Security Council, namely 19 August 2005.

7. The United Nations has so far received from the relevant authorities of the Government of Iraq requests for amendments to 81 letters of credit that extend the shipment dates and the expiry dates of the letters of credit. The relevant authorities have requested that the deadline of 31 October 2005 for the formal request of amendments by the Government of Iraq be moved to 31 December 2005 in order to take fully into account communication problems between the relevant authorities and the suppliers for extensions of the shipment date and the validity of letters of credit.

8. In the absence of any objection from the Council, I intend to proceed as set out above.

#### **Letters of credit due to expire in 2006 and 2007**

9. I indicated in paragraph 9 of the annex to my letter of 8 August 2005 that no reinstatements or extensions would be made for the 14 letters of credit that are due to expire in 2006 and 2007. Of those letters of credit, one was fully paid subsequent to my letter of 8 August 2005. In addition, during the consultations of 3 October 2005, the relevant authorities of the Government of Iraq pointed out that some letters of credit which would expire in 2006 were for vital electricity generation and oil infrastructure projects which were very critical to the welfare of the Iraqi people — hence they should be extended to allow completion of those projects. Given the essential nature of those projects, and in the absence of any objection from the Council, I intend to concur with the proposal of the Government of Iraq to extend the nine letters of credit for the periods shown in table 2.

#### **Additional related issues**

10. The relevant authorities of the Government of Iraq have also asked for the reinstatement of 40 previously expired and cancelled letters of credit with a total value of 64 million United States dollars in order to pay suppliers for goods that were delivered to Iraq and for which the authentication documents are to be forwarded to the United Nations (see table 3). While the normal practice for the programme has been to close letters of credit 90 days after expiry, because of the difficulties being encountered in the processing of the authentication documents, funding could be made available from the operating reserve of the United Nations Iraq Account to accommodate this request. In the absence of any objection from the Council, I intend to make arrangements for the processing of such payments.

11. The relevant authorities of the Government of Iraq have also brought to my attention eight letters of credit that might require amendment to change the name of the supplier and/or the goods being supplied (see table 4). The relevant authorities indicated that, owing to some factors beyond the control of the Government of Iraq, there was a need to change the supplier and/or the goods that would be delivered to Iraq. The individual reasons for changes are indicated in table 4. Since some of these changes may not be fully consistent with the provisions of Security Council resolution 1483 (2003) for terminating the programme and would require the issuance of new letters of credit, and bearing in mind the individual merits of each case, I recommend that the Council concur with my intention to process only cases 930181, 902035 and 702374.

12. I brought to the attention of the Council, in paragraphs 11 and 13 of the annex to my letter of 8 August 2005, two additional related situations. The first concerned 23 cases where the letters of credit had been closed in accordance with the normal practice and the second concerned 17 cases where the bank had closed the letters of credit. In 13 of these 40 cases, the suppliers have subsequently been paid in full. I urge the Council to reiterate its request to the Government of Iraq to process authentication documents on a timely basis so as to facilitate payment to the suppliers concerned.

#### Companies which claim delivery

13. In paragraph 4 of the annex to my letter of 8 August 2005, I informed the Council that funding was being retained even after the expiry of some letters of credit because the United Nations Secretariat had cause to believe that goods associated with some of those letters of credit were delivered to Iraq and payments might need to be provided to the vendor. The relevant authorities in Iraq have not yet, however, provided the United Nations with authentication documents necessary for payments to be made to some of the companies claiming to have delivered goods in accordance with the terms and conditions of their letters of credit. This issue now falls under the competence of the Government of Iraq. The Council may wish to urge the responsible authorities to process the authentication documents promptly so that payments can be made to the suppliers of the goods.

Table 1  
Request for further shipment on letters of credit that expired in 2004

| Communication No. | Letter of credit | Issue date | Expiry date | Status | Currency | Value        | US\$ equivalent |
|-------------------|------------------|------------|-------------|--------|----------|--------------|-----------------|
| 930584            | L737103          | 28/10/2002 | 01/12/2004  | Active | EUR      | 75 288.15    | 90 490.         |
| 830492            | C730663          | 26/09/2001 | 03/07/2004  | Active | EUR      | 67 153.05    | 80 712.         |
| 631025            | Z734374          | 11/04/2002 | 05/07/2004  | Active | USD      | 57 166.36    | 57 166.         |
| 1030389           | T735614          | 01/07/2002 | 12/07/2004  | Active | EUR      | 93 799.99    | 112 740.        |
| 1230032           | P738455          | 12/12/2002 | 12/10/2004  | Active | USD      | 239 145.39   | 239 145.        |
| 1230448           | P739150          | 31/01/2003 | 14/06/2004  | Active | EUR      | 1 379 960.00 | 1 658 605.      |
| 1230134           | P738454          | 09/12/2002 | 17/09/2004  | Active | EUR      | 97 354.29    | 117 012.        |
| 1230159           | P738616          | 23/12/2002 | 17/11/2004  | Active | EUR      | 197 999.72   | 237 980.        |
| 930512            | L751412          | 11/12/2003 | 19/06/2004  | Active | EUR      | 29 043.88    | 34 908.         |
| 1230556           | P751484          | 24/11/2003 | 19/07/2004  | Active | EUR      | 3 000.00     | 3 605.          |
| 830558            | M734207          | 22/05/2002 | 20/07/2004  | Active | GBP      | 73 856.15    | 130 257.        |
| 1030464           | T751365          | 17/11/2003 | 20/10/2004  | Active | EUR      | 769 086.90   | 924 383.        |
| 1030158           | T751513          | 24/11/2003 | 24/06/2004  | Active | EUR      | 129 939.84   | 156 177.        |
| 830227            | M727960          | 12/06/2001 | 25/11/2004  | Active | EUR      | 45 075.64    | 54 177.         |
| 631023            | Z751764          | 08/01/2004 | 26/10/2004  | Active | USD      | 140 909.00   | 140 909.        |
| 631028            | Z751761          | 15/01/2004 | 26/11/2004  | Active | USD      | 672 727.00   | 672 727.        |
| 830896            | M751563          | 01/12/2003 | 27/04/2004  | Active | EUR      | 10 886.72    | 13 085.         |
| 1230596           | P751490          | 03/12/2003 | 27/08/2004  | Active | EUR      | 6 500.50     | 7 813.          |
| 830726            | C731589          | 29/08/2005 | 29/08/2005  | Active | EUR      | 267 309.90   | 321 285.        |

| <i>Communication No</i> | <i>Letter of credit</i> | <i>Issue date</i> | <i>Expiry date</i> | <i>Status</i>               | <i>Currency</i> | <i>Value</i>         | <i>US\$ equivalency</i> |
|-------------------------|-------------------------|-------------------|--------------------|-----------------------------|-----------------|----------------------|-------------------------|
| 830639                  | M734860                 | 13/06/2002        | 30/11/2004         | Active                      | EUR             | 16 010.00            | 19 242.79               |
| 830330                  | C729335                 | 30/07/2001        | 30/11/2004         | Active                      | EUR             | 264 431.33           | 317 826.12              |
| 1030568                 | T735765                 | 27/06/2002        | 31/08/2004         | Active                      | EUR             | 62 986.35            | 75 704.75               |
| 830077                  | C730889                 | 05/10/2001        | 31/10/2004         | Active                      | EUR             | 110 703.97           | 133 057.66              |
| 1030451                 | T735631                 | 25/06/2002        | 31/10/2004         | Active                      | EUR             | 42 093.67            | 50 593.35               |
| 1030463                 | T734293                 | 10/04/2002        | 31/12/2004         | Active                      | EUR             | 1 944 760.00         | 2 337 451.92            |
| 731060                  | U750873                 | 04/04/2003        | 05/07/2004         | Active                      | EUR             | 9 900.00             | 11 899.04               |
| 1230558                 | P750349                 | 12/03/2003        | 10/06/2004         | Active                      | EUR             | 4 812.10             | 5 783.77                |
| 1230056                 | P738838                 | 31/12/2002        | 04/08/2004         | Active                      | EUR             | 25 167.00            | 30 248.80               |
| 800783                  | C727202                 | 14/05/2001        | 17/09/2004         | Active                      | EUR             | 2 110 290.91         | 2 536 407.34            |
| 1000226                 | T731031                 | 11/10/2001        | 30/10/2004         | Active                      | JPY             | 193 423 750.00       | 1 711 714.60            |
| 702556                  | U726050                 | 23/02/2001        | 01/02/2004         | Active                      | EUR             | 1 060 085.00         | 1 274 140.63            |
| 1000840                 | T734819                 | 06/06/2002        | 30/04/2004         | Active                      | EUR             | 72 201.82            | 86 781.03               |
| 901583                  | L733643                 | 01/03/2002        | 15/02/2004         | Active                      | EUR             | 171 825.00           | 206 520.43              |
| 631023                  | Z751764                 | 08/01/2004        | 26/10/2004         | Active                      | USD             | 140 909.00           | 140 909.00              |
| 631025                  | Z734374                 | 11/04/2002        | 05/07/2004         | Active                      | USD             | 57 166.36            | 57 166.36               |
| 631028                  | Z751761                 | 15/01/2004        | 26/11/2004         | Active                      | USD             | 672 727.00           | 672 727.00              |
| 1230448                 | P739150                 | 31/01/2003        | 14/06/2004         | Active                      | EUR             | 1 379 960.00         | 1 658 605.77            |
| 731024                  | U737646                 | 16/10/2002        | 03/08/2004         | Active                      | EUR             | 1 743 368.80         | 2 095 395.19            |
| 1030021                 | T733888                 | 18/03/2002        | 27/09/2004         | Active                      | EUR             | 608 397.42           | 731 246.90              |
| 1030728                 | T735299                 | 14/06/2002        | 23/09/2004         | Active                      | EUR             | 19 895 105.31        | 23 912 386.19           |
| 1001242                 | T733785                 | 13/05/2002        | 15/12/2003         | Active                      | EUR             | 60 760.64            | 73 029.62               |
| 1200840                 | P738507                 | 17/12/2002        | 21/07/2004         | Active                      | USD             | 1 107 792.00         | 1 107 792.00            |
| 1300342                 | B750908                 | 07/04/2003        | 07/11/2004         | Active                      | EUR             | 598 115.99           | 718 889.41              |
| 1000942                 | T732391                 | 18/12/2001        | 02/01/2004         | Active                      | EUR             | 6 145 445.90         | 7 386 353.25            |
| 1200370                 | P738022                 | 22/11/2002        | 30/09/2004         | Active                      | EUR             | 2 193 539.00         | 2 636 465.14            |
| 601909                  | Z727261                 | 07/05/2001        | 31/12/2004         | Active                      | USD             | 796 254.00           | 796 254.00              |
| <b>Total</b>            |                         |                   |                    | <b>46 letters of credit</b> |                 | <b>55 837 776.63</b> |                         |

Table 2  
Letters of credit that are due to expire in 2006

| Communication No. | Letter of credit | Issue date                 | Expiry date | New expiry date | Currency | Value         | US\$ equivalency      |
|-------------------|------------------|----------------------------|-------------|-----------------|----------|---------------|-----------------------|
| 1200853           | P738659          | 17/12/2002                 | 15/04/2006  | 15/04/2007      | CHF      | 52 704 075.17 | 40 855 872.22         |
| 601654            | Z725037          | 05/01/2001                 | 15/01/2006  | 15/01/2007      | USD      | 33 745 562.86 | 33 745 562.86         |
| 801479            | C733847          | 13/03/2002                 | 15/04/2006  | 15/04/2007      | CHF      | 53 286 353.10 | 41 307 250.47         |
| 901749            | L732684          | 15/05/2002                 | 15/04/2006  | 15/04/2007      | CHF      | 3 343 042.15  | 2 591 505.54          |
| 930480            | L731945          | 28/11/2001                 | 31/01/2006  | 31/12/2006      | EUR      | 5 844 562.73  | 7 024 714.82          |
| 601799            | Z719838          | 25/05/2000                 | 23/03/2006  | 31/12/2006      | USD      | 14 968 566.24 | 14 968 566.24         |
| 900991            | L751810          | 18/01/2005                 | 11/01/2006  | 31/12/2006      | EUR      | 3 440 257.42  | 4 134 924.78          |
| 930480            | L731945          | 28/11/2001                 | 31/01/2006  | 31/12/2006      | EUR      | 5 844 562.73  | 7 024 714.82          |
| 53408             | Y751811          | 28/01/2005                 | 26/06/2006  | 31/12/2006      | USD      | 1 750 000.00  | 1 750 000.00          |
| <b>Total</b>      |                  | <b>9 letters of credit</b> |             |                 |          |               | <b>153 403 111.76</b> |

Table 3  
Letters of credit not included in the liability report of 31 July 2005

| Communication No. | Letter of credit | Expiry date | Currency | Value         | US\$ equivalency |
|-------------------|------------------|-------------|----------|---------------|------------------|
| 1230623           | P751204          | 01/02/2004  | EUR      | 42 657.00     | 51 270.43        |
| 1030629           | T737896          | 12/02/2004  | EUR      | 6 599 819.00  | 7 932 474.76     |
| 1230213           | P738715          | 22/03/2004  | EUR      | 180 823.64    | 217 336.11       |
| 830437            | M729219          | 07/08/2004  | EUR      | 118 016.00    | 141 846.15       |
| 1230593           | P751265          | 05/09/2004  | EUR      | 231 600.00    | 278 365.38       |
| 1030282           | T751636          | 21/09/2004  | EUR      | 9 058 000.00  | 10 887 019.23    |
| 1230265           | P738723          | 23/09/2004  | EUR      | 3 936 147.72  | 4 730 946.78     |
| 631108            | Z737898          | 25/09/2004  | EUR      | 12 958 882.04 | 15 575 579.38    |
| 630745            | Z720101          | 27/09/2004  | USD      | 171 052.73    | 171 052.73       |
| 630961            | Z751807          | 04/10/2004  | USD      | 889 572.00    | 889 572.00       |
| 930603            | L733650          | 31/10/2004  | EUR      | 9 772.73      | 11 746.07        |
| 730993            | U737462          | 17/11/2004  | EUR      | 347 667.68    | 417 869.81       |
| 1230622           | P750222          | 30/11/2004  | EUR      | 14 182.00     | 17 045.67        |
| 1230498           | P751739          | 30/11/2004  | EUR      | 88 582.27     | 106 469.07       |
| 1030405           | T737377          | 30/11/2004  | EUR      | 30 100.00     | 36 177.88        |
| 631157            | Z751164          | 30/11/2004  | EUR      | 3 135 000.00  | 3 768 028.85     |
| 830875            | C734978          | 11/12/2004  | EUR      | 130 107.27    | 156 378.93       |
| 630959            | Z751806          | 13/12/2004  | USD      | 290 000.00    | 290 000.00       |
| 930479            | L737706          | 15/12/2004  | EUR      | 341 472.46    | 410 423.63       |
| 930564            | L732564          | 15/12/2004  | EUR      | 634 197.30    | 762 256.37       |
| 730367            | U722343          | 31/12/2004  | USD      | 886 363.64    | 886 363.64       |
| 1030524           | T738836          | 31/12/2004  | EUR      | 434 424.00    | 522 144.23       |

| <i>Communication No.</i> | <i>Letter of credit</i> | <i>Expiry date</i>          |            | <i>Currency</i> | <i>Value</i> | <i>US\$ equivalency</i> |
|--------------------------|-------------------------|-----------------------------|------------|-----------------|--------------|-------------------------|
| 630650                   | Z724362                 | 31/12/2004                  |            | USD             | 416 907.60   | 416 907.60              |
| 1230114                  | P751638                 | 02/10/2005                  |            | EUR             | 118 750.00   | 142 728.37              |
| 1230157                  | P751491                 | 20/05/2004                  | Fully paid | EUR             | 0.00         | -                       |
| 1230347                  | P738858                 | 31/12/2004                  |            | EUR             | 60 571.37    | 72 802.13               |
| 830240                   | C729831                 | 31/12/2004                  |            | EUR             | 416 521.74   | 500 627.09              |
| 1230395                  | P751719                 | 15/02/2005                  | Fully paid | EUR             | 0.00         | -                       |
| 801248                   | M728191                 | 30/08/2004                  |            | USD             | 147 000.00   | 147 000.00              |
| 1201532                  | P750004                 | 16/01/2005                  |            | EUR             | 5 040 000.00 | 6 057 692.31            |
| 901366                   | L731772                 | 27/09/2004                  |            | EUR             | 1 245 101.64 | 1 496 516.39            |
| 900780                   | L732591                 | 30/09/2004                  |            | EUR             | 2 214 065.02 | 2 661 135.84            |
| 1002154                  | T736059                 | 03/05/2004                  |            | EUR             | 198 500.00   | 238 581.73              |
| 1100645                  | V735226                 | 03/05/2004                  |            | EUR             | 236 338.13   | 284 060.25              |
| 1300079                  | B751068                 | 14/01/2005                  |            | EUR             | 1 917 545.00 | 2 304 741.59            |
| 1030707                  | T735379                 | 31/12/2004                  |            | EUR             | 15 821.27    | 19 015.95               |
| 1230495                  | P750674                 | 23/02/2004                  |            | EUR             | 182 593.00   | 219 462.74              |
| 1230296                  | P738733                 | 14/03/2004                  |            | EUR             | 115 900.00   | 139 302.88              |
| 930479                   | L737706                 | 15/12/2004                  |            | EUR             | 341 472.46   | 410 423.63              |
| 730966                   | U737510                 | 21/01/2004                  |            | EUR             | 225 341.30   | 270 842.91              |
| <b>Total</b>             |                         | <b>40 letters of credit</b> |            |                 |              | <b>63 642 208.52</b>    |

Table 4  
Request for amendments to the supplier's name and goods

| Communication No. | Letter of credit | Issue date | Expiry date | Status | Currency | Value         | US\$ equivalency      | Reason for amendment                                                                                                                                                                                                                                                              |
|-------------------|------------------|------------|-------------|--------|----------|---------------|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 930181            | L729782          | 21/08/2001 | 05/11/2005  | Active | EUR      | 30 483 545.05 | 36 638 876.26         | The goods in the contract need to be changed from steel plates to pipes because, owing to the situation in Iraq, processing of steel plates to pipes was no longer possible.                                                                                                      |
| 900655            | L737547          | 08/10/2002 | 28/02/2005  | Active | EUR      | 25 973 214.29 | 31 217 805.64         | The contract relates to the Ministry of Education and it is for steel bar reinforcement. The Ministry would now like computer workshops instead of steel bars.                                                                                                                    |
| 1100581           | V734761          | 08/05/2002 | 31/03/2005  | Active | EUR      | 28 031 480.00 | 33 691 682.69         | The contract relates to the Ministry of Water Resources. The buyer needs to change the material from hydro-mechanical equipment to equipment used to improve the water stream in rivers and for flood control.                                                                    |
| 1000600           | T732494          | 13/05/2002 | 26/03/2005  | Active | EUR      | 21 098 181.82 | 25 358 391.61         | These contracts relate to the Ministry of Trade. The buyer needs to change the type and quantities of the goods to benefit the people's demand for the new items.                                                                                                                 |
| 1101151           | V735707          | 02/07/2002 | 11/07/2005  | Active | EUR      | 28 344 545.45 | 34 067 963.28         |                                                                                                                                                                                                                                                                                   |
| 1201434           | P750562          | 07/03/2003 | 28/02/2005  | Active | EUR      | 7 032 500.00  | 8 452 524.04          |                                                                                                                                                                                                                                                                                   |
| 702374            | U737961          | 15/11/2002 | 31/10/2005  | Active | USD      | 82 510 511.00 | 82 510 511.00         | This refers to a vital contract for electricity generation, where the originally contracted supplier was unable to deliver. The manufacturer of the equipment, however, is willing to take over the contract and make a direct delivery under the existing terms of the contract. |
| 902035            | L735018          | 18/03/2005 | 30/03/2005  | Active | EUR      | 368 823.81    | 443 297.85            | The contract relates to the Ministry of Transport. The buyer would like to substitute five excavators from one manufacturer with two excavators from another manufacturer.                                                                                                        |
| <b>Total</b>      |                  |            |             |        |          |               | <b>252 381 052.37</b> |                                                                                                                                                                                                                                                                                   |

8 letters of credit